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F I R S T T E N Y E A R S
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G E O R G E T H E T H I R D ,
K I N G O F G R E A T B R I T A I N , & c .

FROM HIS ACCESSION TO THE THRONE, IN 1760, TO THE
CONCLUSION OF THE THIRD SESSION OF THE
THIRTEENTH PARLIAMENT OF GREAT
BRITAIN, IN 1770;

TO WHICH IS PREFIXED,

A REVIEW OF THE WAR,
WHICH WAS TERMINATED BY THE PEACE OF PARIS, IN 1763.

SECOND EDITION.

At *Roma* ruere in servitium *consules, Patres, Eques*; quanto quis
illustrior, tanto magis falli ac festinantes, vultuque composito.---
Insurgere paulatim *Augustus*, munia senatus, magistratum, legum in
se trahere, paucis nobilium adversantibus; cum cæteri, quanto quis
servitio promptior, opibus et honoribus extollerentur; ac novis ex
rebus aucti tuta et præsentia quam vetera et periculosa mallent.---
Manebant tamen etiam tum vestigia morientis libertatis. TACIT.

L O N D O N :

PRINTED FOR THE AUTHOR,

AND SOLD BY T. EVANS IN PATERNOSTER-ROW,

MDCCLXXXIII.

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T H E

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F I R S T T E N Y E A R S

O F T H E R E I G N O F

G E O R G E T H E T H I R D

K I N G O F G R E A T B R I T A I N &c



A R E V I E W O F T H E W A R

W H I C H W A S C O N D U C T E D I N T H E R E I G N O F K I N G G E O R G E T H E T H I R D

S E C O N D E D I T I O N

As the war was conducted in a manner which has not been equalled in any other age, and as the result of it has been the establishment of a new and more perfect system of government, it is necessary that a new edition of this work should be published, in order to bring it up to the present state of the art.

L O N D O N

P R I N T E D F O R T H E A U T H O R

A N D S O L D B Y T H E S A M E P E R S O N

W H O S E N A M E I S A T T H E E N D O F T H E T I T L E

R E V I E W OF THE L A T E W A R.

NATIONS, between whom mutual jealousies and injuries have kindled up a war, never lay down their arms, but with an intention to resume them at a more favourable opportunity. For peace is no more than the time fixed by mutual consent for recovering breath, that they may renew the struggle with redoubled vigour. Whichever of them finds its strength first restored, seldom fails of attacking its antagonist at a disadvantage, and endeavouring to accomplish its total ruin.

This has been the situation of England and France ever since the Norman conquest; but more particularly since the dangerous aggrandisement of the Bourbon family, and its repeated efforts to acquire universal empire. No sooner had the revolution taken place, than this island, anxious for the preservation of the liberties of Europe, in which she knew her own to be involved, engaged in the quarrels of the continent; where she has continued ever since, the chief obstacle to the completion of the ambitious designs of the French monarchs. But though she has carried on war after war, and negotiation after negotiation, the bounds of the French

empire on the continent have been rather extended than contracted. Her rival has added Lorraine and Alsace to her ancient domains, and, by seating princes of the Bourbon line on the thrones of Spain, and of the two Sicilies, has rendered them in a great measure subservient to her interest.

This increase of her power and influence she does not owe so much to the success of her arms, as of her negotiations, in which her agents have always out-reached the British ministers, who are often at variance with one another, and more intent on securing the lucrative places, which they enjoy in the government, than on the means of annoying the common enemy, and procuring any solid advantage to their country. This observation is fully verified by the peace of Utrecht, by which a few ambitious men sacrificed the most brilliant victories, and the fairest prospects, to their own sordid interest, at the shrine of a popish pretender. The armistice of Aix-la-Chapelle, for it cannot with propriety be called a peace, owed its origin to the same selfish causes, and was concluded on the same narrow principles. The faction of the Pelhams, who had carried on the war so ingloriously, and were on that account obnoxious to the nation, being apprehensive that, if the struggle continued much longer, they would be obliged to resign the reins of administration to abler hands, came to the resolution of compromising matters with the enemy. They saw that peace, which is itself a great support to an established ministry, would enable them to make the most of their parliamentary interest, which was considerable, and to perfect that system of corruption, which had been introduced at the revolution, and uniformly practised by all their predecessors, but by none more successfully than by Walpole, whom, as they intended to imitate, they had with great judgment, and no less honesty, rescued from national justice, when the result of the enquiry into his conduct had brought him to the very brink

brink of destruction. Indeed the scandalous manner, in which he was allowed to escape, and mock the vengeance of the public, cannot help creating in the mind of a rational enquirer, a strong suspicion that his successors either shared his guilt, or sold him his life for his pelf, or made his impunity the condition, on which they were to be appointed ministers by the sovereign, who would not consent to the absolute ruin of his old servant and favourite.

But whether one or all of these causes saved the earl of Orford's head, the nation was thoroughly convinced of the mercenary character of the new ministry, and of the hollowness of their pretensions to patriotism. The sudden and unexampled apostacy of so many noisy demagogues, made the people imagine that public spirit was no more than an empty sound, and that virtue had for ever deserted our senate. They lost all attachment to individuals, and looked upon their rulers with an eye of indifference, thinking them all equally ready, when an opportunity should offer, to make the public good a victim to their private interest.

This disposition of mind naturally led them to acquiesce without any open murmurs in the measures of the ministers, who were allowed to go on from blunder to blunder in the war with Spain and France, till they came at last to the greatest blunder of all, the peace of Aix-la-Chapelle; by which they stained the honour of the nation in sending hostages to France, left the original cause of the quarrel as undetermined as at its commencement, and sowed the seeds of a future war, or rather perpetuated the preceding one, by the appointment of commissaries to fix the boundaries of the territories of England and France in America.

These steps would have been perhaps excusable in such weak ministers, if the approach of the Russian auxiliaries, whom Britain had bought at an immense expence, did not promise the same superiority at land, which the gallantry of our navy, not the wisdom of our councils, had procured us at sea. But the same

puffillanimity, the same incapacity, marked their conduct from beginning to end. As they undertook the war without spirit, so they concluded it without prudence. The whole tenor of their conduct in this negotiation betrayed fear and apprehension. They discovered nothing of that firmness and perseverance, which become the ministers of a great and brave nation, and of which the enemies had set them an example in the day of their distress. By their supple behaviour, and tame acquiescence in the proposals of France, they manifestly acknowledged her superiority, and enflamed her pride and ambition.

A more infallible method to prevent the permanency and stability of the peace could not be invented. Our rivals imagined, not without reason, that the same ministry, which crouched to them in the course of the negotiation, would be equally humble, if they infringed any article of the treaty. Accordingly they continued hostilities in the East-Indies, and made encroachments on our territories in America, believing, no doubt, that Britain, whose spirits they had lately reduced so low, would not dare to retaliate. Nor is it unlikely that their belief would have been realized, if the people had not been made of better metal than the ministry. For, though the enemy had, by presents and false insinuations, been constantly debauching the Indians from our interest, and spiring them up against our colonies; though they were erecting one chain of forts from the river St. Laurence to the Mississippi, and another along the great lakes, in order to cut off our planters from any trade or communication with the natives, our ministers trusted to the slowness and feebleness of negotiation; and though they always received evasive answers, and found hostilities continued, they still imagined that they could conquer the French arms with scrolls of parchment.

Intimidated, however, at last, by the clamours of the people, they sent orders to the different governors of our American provinces, to form a general association

tion against the enemy, to endeavour to win the Indians over to our interest, and to repel force by force. But the orders were more easily given than executed. The colonies, which were chiefly peopled by dissenters, and men who were dissatisfied with the state of civil and religious liberty in Great-Britain and Ireland, entertained the utmost jealousy of each other in these particulars; so that it required time and address to make them act in concert. Had not the enemy proved successful in their first operations, and rendered the common danger apparent and palpable to their senses, it is hard to say how far opposite interests and religious prejudices might have misled them. They seemed to agree in nothing, but in acknowledging a certain dependence on the imperial crown of Great-Britain.

Is it then surprising, that they could not successfully oppose the French, who acted in concert under one head? or that they could not secure the Indians to their interest, when they were not only at variance with one another, but also endeavoured to spirit up the savages against their brethren? Indeed, had the most perfect unanimity prevailed among them, their conduct to the natives had been so blameable, that they could not possibly succeed in recovering their friendship. They had made a practice of comprehending in their surveys, the Indian hunting-grounds and corn-fields, without leave or compensation; they had used to sell them adulterated rum, and to decoy their children away into slavery. So that, when they built a fort on their territories without asking their consent, it was easy for the French missionaries and agents to disquiet their minds with jealousies of the English, and to represent these unwarrantable encroachments as the forerunners of total subjection and slavery.

The Indians were but too much inclined, from interested motives, to believe them. They found that the English were rich, and that more was to be gained by taking up the hatchet against them than from at-

tacking the French, whom they saw acting in a compact body, inspired by one soul. No wonder, then, if upon the defeat of colonel Washington on the banks of the Ohio, most of them either chose to remain neuter, or to join the enemy; who had a body of eleven thousand regulars, four thousand workmen, and twenty-five thousand well trained militia-men, ready to act upon any emergency.

The views of the French, in this politic, deep-laid scheme, were no less obvious than dangerous. They had in the last war acquired a manifest superiority over Great-Britain at land. The point was now to cut off the sources of her maritime strength, the great remaining obstacle to the accomplishment of their ambitious designs. As this strength depended chiefly on her trade to India and America, they formed the project of extirpating her colonies and factories in both these quarters of the globe, and of establishing their own marine upon the ruin of the British.

For these reasons they availed themselves of the inaccuracy, with which, through the imperfection of geography, the limits of Nova Scotia had been ascertained in the treaty of Utrecht, to lay claim to more than what was their due, and by that claim to render the remainder of little utility to England. Pretending, from the same motives, to have first discovered the mouths of the Mississippi, they asserted a right to all the adjacent country towards New Mexico on the east, and as far as the Apalachian and Allegany mountains on the west; in consequence of which they expelled the planters of the Ohio company, which had obtained a charter from the British legislature for cultivating a considerable tract of these rich and valuable lands; and built fort Du Quesne on the forks of the river Monongahela; a situation, which gave it the command of all the country contiguous to the Ohio and Mississippi.

If we set aside the right of the natives, which by both parties was considered as nothing, it is pretty apparent

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parent that justice was on the side of England. Yet it is very evident that each nation had, in this contest, much less regard to right than convenience. Were the French allowed to unite Canada to their settlements along the Mississippi, by the possession of all that vast country which lies between them, the English colonies would in time of peace be deprived of all share in the Indian trade, and be in time of war exposed to the danger of continual inroads, or to the ruinous charge of defending a frontier of more than fifteen hundred miles in length. If, on the contrary, their claims on the Ohio and Nova Scotia did not succeed, their two colonies would remain entirely disunited, the entrance into the one being during the winter season shut up by frost; and the entrance into the other being at all times difficult, on account of the banks and bars at the mouth of the Mississippi: circumstances, which would greatly diminish their value to France, and in the end involve the ruin of her great settlements in the West-Indies.

Both nations being fully sensible of these truths, no longer considered the American quarrels as matters of little significance: therefore, though the two courts breathed nothing but peace, and exchanged mutual professions of friendship and regard, which deceived neither party, resolutions were taken to cut the Gordian knot of the tedious and intricate negotiation by the sword. Accordingly the French silently prepared a naval armament at Brest to convey troops and military stores to Canada. But the English, whose superiority of strength on the watery element enables them to equip fleets with greater expedition, got the start of them, and dispatched admiral Boscawen with a considerable squadron to the American seas, in order to intercept their men of war and convoys. Fogs, which are so frequent in the latitudes where he cruized, favouring the enemy's escape, prevented the full success of his expedition (1755). Two ships of the line, however, were taken, and brought things to a crisis; such a vi-

gorous measure being the most explicit and effectual declaration of war.

Nor were hostilities confined to armed ships alone: French merchantmen were brought into our harbours in great numbers. Our ministry did not think it necessary to wait for a formal declaration of war before they struck a blow, which would cut off the resources of France's maritime strength, and procure the nation full indemnification for what had been wrested from it in time of profound peace. It was in vain the enemies made all Europe resound with their complaints, and endeavoured to represent these reprisals as acts of piracy. All the world saw that they were the aggressors, and that they assumed this hypocritical moderation, because they meant to interest other courts in their favour, and because they were in no condition to act, having been attacked before their schemes were quite ripe for execution.

The great advantages which we derived from this manœuvre, made ample compensation for the losses sustained by us in America; where, upon the whole, we considered ourselves as worsted. For, though fortune had divided her favours, the nation could not help being chagrined at seeing nothing gained by the great superiority of force, which might have been brought into the field, but the fort of Beausejour taken by colonel Monckton. That conquest, indeed, secured us the entire possession of Nova Scotia, and brought us a small accession of subjects; but the reduction of fort Du Quesne, the grand object of the campaign, did not take place, partly through the divisions and dilatory conduct of the colonists; partly through the imprudence and rashness of general Braddock, who was entrusted with the management of that operation.

He was naturally proud, self-conceited, and impatient. His impatience was enflamed by the slowness of the provincials in assembling, and by seeing great part of the season for action exhausted, without an opportunity

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opportunity of signalizing his courage. Stimulated by these motives, he marched precipitately and incautiously against the enemy, as soon as he had surmounted the obstacles which had hitherto retarded his operations; instead of employing the allied Indians as a scouting party, to reconnoitre the woods and thickets, and to prevent the main body from falling into an ambuscade, he moved on securely with the regulars in front, and, as might have been expected, was suddenly attacked in a swamp, overgrown with bushes and high grass, by bodies of French and Indians, so judiciously posted, that though they could not be distinctly seen, they kept up a constant fire, which was the more severe and galling that it could not be returned. The troops being seized with a panic, fell immediately into confusion; and, notwithstanding the utmost efforts of the general and other officers, fled in consternation. Had not the Virginians, by advancing from the rear, and by engaging the enemy, allowed them time to recover their spirits and ranks, the rout would in all probability have been total, and the army destroyed. As it was, one half of them was cut to pieces; and their precipitate retreat exposed the Virginian frontiers to the scalping-parties of the enemy, and had the worst influence on our affairs, by staggering the faith of the wavering Indians. The general, after having five horses killed under him, remained on the field of battle, preferring an honourable death to an ignominious life, and by this action atoning in some measure for having sacrificed the lives of so many brave men in vain.

This defeat was thought hardly counterbalanced by another no less bloody, which the enemy suffered at lake St. George, where baron Dieskau, their commander in chief, was taken prisoner by Sir William Johnson, who had been detached with a body of provincials against Crown Point, a fort erected by the French to over-awe New-England. But this victory did not enable him to succeed in his principal design
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of reducing the fort: the lateness of the season, and the check given to the British forces near fort Du Quesne, rendered this impracticable. Some good effects, however, it had: it shewed the enemy that they were not invincible in that part of the world; it prevented them from harassing the timid, the irresolute governor Shirley, in his return from his unsuccessful and bloodless expedition against fort Niagara; it secured a considerable extent of frontier from hostile incursions; it kept open a communication with Oswego; and, above all, it revived the desponding spirits of the English and Americans, who had been accustomed in these parts to as many defeats as battles.

Such was the face of affairs in America, the first theatre of the war, when the French, finding Great-Britain could not be intimidated into any concessions, began at length (1756) to act in Europe, where their principal strength lay. Several bodies of troops moved to the coasts of Picardy, Normandy, and Britany; and threatened an invasion of some part of this island. The consternation, which a few misled highlanders had lately occasioned, was fresh in the nation's memory. Through the want of a well-regulated militia, the use of arms was unknown to the generality of the people; and that martial spirit, which formerly rendered them the terror of France, was of consequence extinct. Hence, as there was not in the kingdom a sufficient body of regulars, on whom alone they relied for protection, an universal panic spread through the nation; nor could it be removed by the consideration of our superior fleet, because we might, as has frequently happened, be deprived of its assistance by unfavourable winds or tides. So that the ministry, who were not free from the general contagion of fear, could think of no better expedient for quieting the general apprehensions, than calling a body of hired Hanoverians and Hessians to our assistance, copying in this respect the example of the ancient Britons, who

who lost their liberty by employing auxiliary Germans against their invaders, the Picts and Scots.

While the kingdom shamefully trembled at this alarm, too notorious to be concealed, too fatal in its consequences to be forgotten, the French, under cover of it, equipped at Toulon, with the utmost expedition, a fleet of twelve men of war, which convoyed an army of eleven thousand men, under the command of Richlieu, to the island of Minorca. The British ministry had early intelligence of this scheme: but such apprehension, distraction, and irresolution prevailed in their councils, and so ill-contrived was the disposition of our navy, that admiral Byng, with a squadron of ships inferior in number and quality, did not make his appearance off Minorca for a month after the trenches had been opened before St. Philip's fort.

When he came in sight of the enemy, he did not at all answer the expectations which the public had formed of his conduct and courage. Instead of attacking the enemy with spirit and vigour, and endeavouring to raise the siege by one bold stroke, he caused his division to fall back in the engagement, and left that of admiral West exposed to the fury of the enemy. To put the most favourable construction upon his behaviour, he acted as if he had been sent out rather to preserve his majesty's ships, than to destroy those of the enemy, never considering, that when such a great object was at stake, much was to be risked, and much to be expected from the superior skill and bravery of English sailors. Notwithstanding his pusillanimity, the French, whose admiral fell under the like censure, gained no considerable advantage in the fight. But the consequence of their being able to keep the seas was, that the besiegers were furnished with all requisites for carrying on their operations, so that the fort being deprived of all hopes of assistance, capitulated, after nine weeks open trenches.

The people, exasperated at this disgraceful loss, sent up from all parts addresses complaining loudly of
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mismanagement, and demanding an enquiry into the cause of our misfortunes. The ministers, whose improvidence in frustrating the enemy's schemes, and unskilfulness in appointing commanders, had rendered them obnoxious, were willing to divert the torrent of popular clamour from themselves by any expedient: therefore they indulged the people with a court-martial, which condemned the admiral to be shot. Though he was a person of a noble family, and much intercession was made for him with his majesty, it was thought prudent to yield to the spirit of the times, and to make him suffer, in order to revive the courage and discipline of our navy. Indeed, if he desired to live, after such a stain had been fixed on his character, he deserved to die.

This sacrifice, however, did not answer the end proposed by the ministry: it did not silence the murmurs of the people: filled with grief and shame for being beat at sea, our own element, they demanded vengeance, not only on those who had acted with weakness and timidity, but also on those whose want of prudence and foresight had prevented them from making sufficient provision for the defence and relief of so important a possession. But though the clamour in parliament, as well as among the people, was great, the majority of the commons could be brought to no angry votes. Such was the strength of the ministry in the house! such their influence in rendering the result of the enquiry into the loss of Minorca favourable to their cause!

But they saw the current of popular odium so strong against them, that they did not think it prudent, nor safe, to persevere in resisting it. For besides the blot fixed on the national honour, in the loss of Minorca, we heard of nothing at this time but of losses and disgraces from America and India. In the former, the fort of Oswego, built by governor Shirley on the lake Ontario, in order to cover the country of the Five Nations, to secure the Indian trade, to prevent the com-
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munication between the northern and southern establishments of the French, and to open a passage for the attack of the forts Frontenac and Niagara, was taken, with all the troops, provisions, and military stores. In the latter, Calcutta, our principal settlement on the Ganges, was stormed and plundered by the Nabob of Bengal, who ruined our factories, and rendered it problematical whether our merchants trading to the East-Indies should be any more a company.

Mr. Fox, who was secretary of state, finding that these multiplied and successive disasters, in conjunction with the odium incurred by the Hanoverian and Hessian troops, would overturn the ministry, threw up an employment, which, in a new arrangement, he hoped to exchange for a more lucrative office. Upon the removal of this, their principal prop in the lower house, the whole structure of the administration fell to pieces; and the leaders of the party, by whose artifices they had been displaced, naturally assumed the direction of affairs. But as Mr. Pitt, who had all his life declaimed against German connections, could not directly contradict himself, and second the views of the sovereign, who was fully resolved on making Great Britain lavish her blood and treasure, as usual, in preserving the balance of power in Germany, he was, to the great concern of the nation, commanded to resign his post.

Then it was that the nation felt how disadvantageous it is to this island to have its king possessed of German dominions. A minister that was resolved to exert the natural strength of the kingdom, by harassing the enemy at sea, by destroying their trade and shipping, by invading their coasts, and conquering their colonies, was not allowed to direct the helm of affairs, though supported by the unanimous voice of the whole realm, because he was not willing to sport with the nation's wealth, and to enhance its debt in defeating an unnatural confederacy, which could never have been formed, if the continental powers had

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not had counted upon our becoming principals in all quarrels as a certainty.

The people, sensible of this great error in our political system, adhered to the displaced minister, and endeavoured, by compliments and addresses, to restore him to his office, because he alone seemed likely to rectify this abuse, and by the boldness of his genius to revive the ancient spirit of our isle. But the king, though he could find no class of men bold enough to undertake the management of affairs against the sense of the people, chose rather to continue, for some months, without any established ministry, or any settled plan of operations, than to give up his favourite point. In this resolution he persisted the more firmly, because he saw that, in order to prevent the general ruin, the parties would be obliged, as usual, to unite, and concur with him in his measures.

The leading men of the nation were at this time divided into two principal factions, who differed widely in their political sentiments. One of them consisted of the remains of the old ministry, that succeeded on the removal of Walpole. They were men of great property, as well as parliamentary influence, and were supposed to lead the monied interest. But their abilities were questioned, and they were consequently destitute of popularity; a point of no little moment in our mixed government. This unfavourable circumstance was no less occasioned by their late blunders in government, than by the general tenor of their political sentiments. Looking on France as the most constant and most formidable enemy of this kingdom, they dreaded the increase of her power and influence among the neighbouring nations as the greatest of evils. In order, therefore, to check her growth, and to confine her to just limits, perpetual attention must be paid to the balance of power on the continent: and if it be at any time in danger, it must be secured by negotiations, subsidies, and British troops, when plenty of foreigners cannot be hired. For this purpose,

pose, as well as to secure the succession in the house of Hanover, a considerable land army must be always maintained; and, though the navy is not to be neglected, it is to be kept up in subserviency to this system. Though no friends to absolute power, nor enemies to parliaments, they were inclined to allow more authority to the government, than what was consistent with the liberty of the press, the great palladium of the constitution. They avowed the practice of procuring a majority in parliament, by the distribution of places and pensions. Many of them, feeling no refined principle within their own breasts, believed no other method was practicable; so that under their management all patriotism and public spirit, having become a jest, naturally led us to that deplorable crisis which has been described.

The other party was composed of those members of the opposition, who had not concurred with the court in screening the earl of Orford from public justice. They had preserved some uniformity of character, and were therefore prodigiously popular; a circumstance which supplied their want of parliamentary and court influence. They agreed with the former in the necessity of curbing the power of France; but they differed in the means of attaining that end. They asserted that our insular situation, which is so favourable to our civil and political liberty, dictates a narrower and less expensive plan of operations. Our strength, and our trade, which is the source of our strength, is maritime. We ought never, therefore, to engage as principals in a continental war against France, because in that case we attack her where she is strongest, abandoning the sea, our natural element, where she is most vulnerable, and where we can make the most powerful efforts. We must not expose ourselves to certain evil, from the dread of possible mischief: we must not pension every petty state and prince, and waste our blood and treasure, without the least prospect of reimbursement, in defending a country, which, were it not for
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our Quixotism, would fight its own battles. As long as we proceed as we have done, no confederacy will be formed by the continental powers against the house of Bourbon: they will trust their protection to our arms. While we preserve our superiority at sea, we need not fear her aggrandisement; as our navy can cut the sinews of her strength, by destroying her traffic. And while her marine is weak, what foundation is there for any apprehensions of an invasion? If real grounds of such fear could exist, the best and most natural defence would be a well-trained militia; as their attachment to their country would form the strongest bulwark against foreign invasion and domestic tyranny; whereas a standing army is expensive, dangerous to liberty, and hurtful to the morals of the people. As to parliamentary influence, it is by no means requisite, because a ministry agreeable to the people, as every good ministry must be, can never meet with general opposition, nor find it necessary to bribe men to their duty and interest.

As the king foresaw, the conflict between these two parties at length subsided, a coalition was formed, and sacrifices were made on both sides; the old established interest being obliged to relinquish a share of their power, and the popular party being forced to embrace the sovereign's measures. The duke of Newcastle resumed the direction of the treasury; Mr. Fox was appointed paymaster of the forces; and Mr. Pitt, being made principal secretary of state, was considered as prime minister. This last personage being possessed originally of no considerable fortune, entered, when young, into the army, as a cornet of dragoons. But though he might possibly have shone in that capacity, it was found by his friends, that his natural inclination and talent for speaking in public, would give him a chance of making a much more rapid progress towards eminence in a civil employment. In consequence of this idea, they procured him a seat in parliament, where he gave early proofs of his oratorical abilities,

abilities, and rendered himself formidable to Walpole, and his venal dependents. His manly figure, his eagle face, and the keen lightning of his eye, commanded reverence, and bespoke the fire of his soul, before he spoke a syllable; and though his language was not always correct, nor his sentiment just, there was such fervor in the one, and such boldness in the other, that with the help of his theatrical manner, which did more than all, they generally silenced, or overpowered all opposition. To this command which he had acquired over the senate, several public acts of disinterestedness, which he had displayed, greatly contributed; as well as that incredible popularity which was its natural consequence. He had not always been consistent in his system of politics: but this defect, if it really was a defect, the people overlooked in the multitude of his virtues. The nation in general entertained mighty expectations from his labours, and it was not disappointed. The spirit with which he was animated, diffused itself by degrees over every department of state, and kindled the flame of patriotism, which had been thought for ever extinguished. The boldness of his measures, the vastness of his projects, while they surprized his friends, and astonished the enemy, shewed him to be excellently calculated for the minister of a people, who have always admired the haughty, imperious conduct of Cromwel to foreign nations. And he may be justly said to be the first statesman who, in England, gained an absolute ascendant both in council and parliament, by the dint of popularity and the rectitude of his conduct.

Now let us turn our eyes to the continent, and view the steps by which the rest of Europe was involved in the same quarrel. As soon as the British court began to discover symptoms of vigorous measures; France, in order to check its ardour, made no secret of its intention to invade Hanover, hoping that his Britannic majesty would save his native country at

the expence of some of his claims in America. This stratagem had not the desired effect. The British ministry, with a view of securing Hanover and the peace of Germany, entered into a subsidiary treaty with Russia, who was to furnish a body of fifty-five thousand men to act in conjunction with the Hanoverians and Hessians. But it was soon found that the prior engagements of Russia would render this treaty ineffectual, and that under the shadow of it the Czarina made preparations for attacking the king of Prussia, who was become obnoxious to her through the artifices of the courts of Vienna and Dresden.

A treaty for the eventual partition of the Prussian dominions was entered into by the courts of Vienna and Petersburgh as early as the year seventeen hundred and forty-six. The articles, indeed, specified that hostilities were not to take place, except the king of Prussia invaded the territories of either empress, or of the republic of Poland. But every step taken by the empress queen, shewed that it was her grand aim to make this case exist, that she might avail herself of her allies. While vast preparations for war were carried on in Bohemia and Moravia, she employed every art, in concert with the court of Saxony, which had secretly acceded to the treaty of Petersburgh, to render the Prussian monarch personally odious to the Czarina, who was persuaded that he had entered into a plot against her life; that, under pretence of trade, he was sending emissaries into the Ukraine to stir up a rebellion; that he offered to assist the king of Denmark in subduing the dutchy of Holstein, belonging to the prince royal of Russia; that he had formed a design of adding Courland, Polish Prussia, and the city of Dantzick, to his dominions; and that, in conjunction with France and Sweden, he was hatching vast projects in case of a vacancy of the throne of Poland. These considerations, together with the desire which Russia has always discovered to acquire a
footing

footing in Poland and Germany, determined the Czarina to attack Prussia without any farther discussion; and it appears that her troops would have commenced their operations in the year seventeen hundred and fifty-six, if seamen, and good officers, had not been wanting to her navy, and magazines and forage to her army.

Though these intrigues were managed with great secrecy, none of them were unknown to the king of Prussia, who, in order to shew his sense of the treaty concluded between Great-Britain and Russia, declared that he would oppose any foreign troops that should attempt to enter Germany. In consequence of this declaration, the courts of London and Berlin came to an eclaircissement, and matters were soon explained; so that a treaty, which had the peace of Germany for its sole object, was framed; his Britannic majesty hoping by this artifice to secure Hanover from the French, and his Prussian majesty to preserve his territories from the Russians.

The house of Austria, who now looked upon Prussia as her most formidable enemy, and saw her schemes of crushing it in a great measure frustrated by this alliance, entered into a negotiation with France, her ancient enemy, whose highest wish, at present, was to embroil the empire. Accordingly a treaty was immediately concluded, by which France engaged to furnish the empress queen with a considerable sum of money, or a body of auxiliary troops. Sweden was soon after drawn into the confederacy, by the intrigues and subsidies of France, who persuaded the senate that this was a favourable opportunity for recovering their ancient possessions in Pomerania; and it was easily perceived, that the great power, and long established interest of the Austrian family, would engage the circles of the empire in its favour. Thus were the flames of war kindled on the continent, and five mighty states, which had been in their turn the terror

of Europe, united against the heir of the marquisses of Brandenburg. To such dangerous eminence had the great and glorious talents of the Prussian monarch raised him!

Immediately after his accession to the crown, he shewed a disposition to avail himself of the excellent army which his father had formed, and of all those resources with which the estates of the Teutonic order, and other territories acquired by the address of his ancestors, had furnished him. He decided his dispute with the bishop of Liege, by the summary way of arms. He took the same method of determining his claim to the dutchy of Silesia, which his predecessors, for want of power to make good their pretensions, had been forced to give up to the house of Austria for a trifling consideration. Proving successful in two wars, he gave the law to the Austrians, and to the Saxons who had joined them, and secured the possession of Silesia by two solemn treaties. The queen of Hungary could not easily digest the loss of such a fine country, which in length exceeds two hundred miles along the navigable river Oder, and abounds with commodities, manufactures, men and money, yielding a clear annual revenue of eight hundred thousand pounds. She, therefore, set every engine to work in order to recover it, and was the prime mover of all the intrigues which we have disclosed.

(1756) The king of Prussia, observing the storm ready to burst, determined to anticipate his enemies by striking the first blow; so that, after having received an evasive answer from the court of Vienna, concerning the object of the great warlike preparations which he saw carried on in Bohemia and Moravia, he marched straight into Saxony with a considerable army. At first he seemed only to demand a free passage for his troops, and an observance of the neutrality professed by the king of Poland; but as he had the best grounds for distrusting his professions, he insisted on the dispersion of a body of sixteen thousand men, which had

had occupied the strong post of Pirna. This being refused, and an attack judged unadvisable, he blockaded them, in hopes that famine would soon oblige them to surrender at discretion. In this notion he was not deceived; for after he had defeated marshal Brown, the Austrian general, at Lowositz, and frustrated all his judicious dispositions for their relief, they capitulated by the permission of his Polish majesty, their sovereign, and were forced to fight under the Prussian standard. This ill-fated prince immediately quitted his electoral dominions, which were obliged to furnish recruits, and enormous contributions to the victors, who took up their winter quarters in them, and seized upon the archives at Dresden, where these state papers were found, which evinced to the whole world, the reality of the designs formed against Prussia, and justified in some measure the severities exercised against the unfortunate Saxons.

Process was commenced against the king of Prussia in the Aulick council, and in the diet of the empire, as soon as he entered Saxony. The states, overawed by a confederacy the most formidable that the world had ever seen, condemned him for contumacy; and the fiscal had orders to put him under the bann of the empire; a judgment which cuts off every delinquent, real or supposed, from being a member of that august body, and obliges all the rest to arm, in order to strip him of his dignities and possessions. In this case the circles furnished their contingents but slowly; and it is probable they would never have been in a condition to act, if they had not been joined by foreign auxiliaries. Indeed the number and strength of Prussia's enemies seemed, without their assistance, abundantly sufficient to reduce it in a single campaign; its foes were elated with the most presumptuous expectations, and its friends, when they considered the vast disproportion of its forces, formed wishes rather than hopes in its favour. But when they called to mind Frederick's great œconomy, the incomparable

order of his finances, the unequalled discipline and heroism of his army; his sagacity, which foresaw every contingency; his vigilance, which nothing escaped; his perseverance, which surmounted every obstacle; his courage, which no danger could dismay; and his intuitive perception, which seized the decisive moment in every action, they thought some ray of hope remained, and they placed a dependance on those resources, which admit of no calculation.

(1757) Sensible of the mighty efforts which would be made against him in the next campaign, he entered the field early, and invaded Bohemia, in order to strike a decisive blow, before his numerous enemies could unite, or at least to remove the scene of action as far as possible from his own territories. Marshal Swerin, with a great body of troops, penetrated into that kingdom on the side of Silesia. The prince of Bevern, with another, entered by the way of Lusatia, and defeated, as a prelude to a more complete victory, twenty-eight thousand men, opposed to him under count Konigseg. The king himself deceived, by a feint, twenty thousand men detached by count Brown, the Austrian generalissimo, to watch his motions; and cut them off from any communication with the grand army: upon which he pushed forward with the greatest rapidity, and joined the troops from Lusatia and Silesia. Never were operations concerted, or executed, with more judgment, dispatch, and success. The Austrians, to the number of a hundred thousand men, were advantageously posted near Prague; nature and art having combined to render their camp impregnable. But the Prussians being nearly equal in number, and fired by the king's share in all their dangers, with that noble enthusiasm which is almost always the signal of success, passed morasses, climbed precipices, encountered batteries, and, after a bloody and obstinate resistance, totally defeated the enemies. Forty thousand men took refuge in Prague; the rest fled various ways, and left their camp, their artillery, their military

tary chest, and many other trophies of a complete victory, to Frederick. He lost no time in investing the city, hoping, from the numbers confined, to reduce it by famine, if the bombardment, which he began, should prove unsuccessful. After a dreadful storm of rain and thunder, four batteries, which discharged in twenty-four hours two hundred and eighty-eight bombs, besides a vast number of red-hot balls, began at midnight to pour destruction on the unfortunate Prague, which was soon on fire in various parts. The inhabitants seeing the city on the point of being reduced to ashes, addressed the commander in a body, and by the most pathetic supplications urged him to capitulate. But he was inexorable, and turned out of the walls twelve thousand useless mouths, who were forced back by the Prussians. Still he persisted in making a vigorous defence; one desperate sally was attempted, but with great loss to the garrison. In short, the sanguine friends of Prussia looked upon the conquest of Bohemia as achieved, and began to compute the distance to Vienna.

In this critical situation of the Austrian affairs, Leopold count Daun burst out of obscurity, and turned the tide of fortune. Having arrived within a few miles of Prague, the day after the great battle was fought, he had collected the fugitives, and from his entrenched camp at Colín supported the spirits of the besieged with hopes of relief. He knew the superiority of the Prussian troops; he knew the impression which the late defeat had made upon the minds of the Austrians; he was not therefore for precipitating an action: especially when he considered that his army was daily encreasing, that time would abate their fears, and that the enemy would be embarrassed by the situation which he had chosen. The king of Prussia, sensible that he became more and more formidable every day, marched with thirty-two thousand men against an army of double that number, strongly entrenched, and defended by a vast train

of artillery. Whatever the most impetuous and well-directed courage, whatever the enthusiasm inspired by the remembrance of a course of successive victories could effect, was this day effected by the Prussians. Seven times they returned to the charge, and displayed the most signal marks of heroism. The king's brothers were in the hottest of the engagement, and behaved like the king of Prussia's brothers. The king himself, at the head of his cavalry, made one furious and concluding charge. Every thing that prudence could suggest, or valour inspire, was tried, but tried in vain. The want of artillery, the want of infantry, the situation, the numbers opposed, the general, forced him to quit the field. The enemies, not daring to leave their entrenchments, left his retreat unmolested; so that, to all true judges of merit, he appears as great in his defeat, as in the most brilliant of his victories: for he bore it with magnanimity, and retrieved it like a hero.

Never was battle attended with more fatal consequences. He was obliged to raise the blockade of Prague, to evacuate Bohemia, and take refuge in Saxony. The Austrians, after their junction, became superior to him in numbers: they harrassed him in his retreat; but his principal loss arose from desertion, for they would not venture on a decisive action, as they expected that all their allies would soon advance, and crush him in a body.

The French had this year sent two armies into the field; one under Soubize, of twenty-five thousand men, who, after having taken possession of Cleves, Meurs, and Gueldres, crossed the Rhine, and joined the army of the empire: another under d'Etrees, of eighty thousand men, who seizing on Embden, and whatever else belonged to Prussia in East Friesland, marched through Westphalia into Hanover, where the duke of Cumberland opposed them with forty thousand men. He fell back gradually as they advanced: at last he made a feeble attempt to repulse them

them at Hammelen, where it was thought that their superiority could be least dangerous. Being forced off the field of battle, he retreated towards Stade, a situation which allowed him as little to retreat as his strength did to advance, so that he was obliged to come to a capitulation, by which the only allies of Prussia, that could give any effectual assistance, laid down their arms, and were only not prisoners of war. An expedition, indeed, was undertaken by the English against the coast of France, in order to destroy her marine, and force her to recal some of her troops from Germany for the defence of her own territories. The fleet appeared off Rochford; but the land officers, after taking the isle of Aix, resolved, with great prudence, to return without making any attempt; so that this great and expensive armament only produced animosities among ourselves, contempt among our enemies, and gave no relief to the oppressed king of Prussia, who was now surrounded on every side.

A large body of Austrians having penetrated into Silesia, laid it under contribution, and besieged Schweidnitz, the key of that dutchy, the original cause of the war. Twenty-two thousand Swedes penetrated into Prussian Pomerania, took the towns of Anclam and Demmein, and exacted heavy contributions. Richlieu, who now commanded the grand army of France, being freed from all opposition on the side of Hanover, turned his arms against Halberstad and the old marche of Brandenburg, where, after he had scourged the whole country with severe exactions, he plundered the towns. The army of the empire, reinforced by that under Soubize, was in full march for Saxony; a circumstance which enabled marshal Daun to employ his whole force in the reduction of Silesia. General Haddick, who with the Austrians under him had penetrated into Lusatia, and taken Zittau, passed by the Prussian armies, and suddenly presenting himself before Berlin, obliged it to pay a large sum to prevent its being plundered. The

Russians,

Russians, who had been very dilatory in their motions, entered at length Ducal Prussia, and after their manner committed horrible cruelties and devastations. Lehwald, the Prussian general, had orders to engage them at any hazard: with thirty thousand men he attacked them, though double in number, and strongly entrenched in a very advantageous situation; and though he was repulsed, he killed five times as many of the enemy as he lost of his own men, remaining more formidable after his defeat, than the Russians after their victory. They kept their post however, and did not allow the king to derive any assistance from his army in that quarter; so that he was obliged, with what forces he had, to make head against the enemy. Like a lion, hemmed in on every side, he advanced sometimes against one army, sometimes against another; and they fled before him. But while he pursued the fugitives, fresh troops pressed upon his rear; so that he was continually harrassed, and thought to be verging to that destruction, which a few months before threatened the house of Austria. The fatigues to which his body was exposed, and the anxiety which preyed upon his mind, had reduced him to a mere skeleton; and he could hardly be known to be the same person who, in the spring, led a victorious army into Bohemia. He was almost always on horseback; he often lay on the bare ground, and suffered more hardships than the meanest of his soldiers, who were now greatly reduced in numbers; since neither recruits, money, nor provisions could be procured, as he was cut off from the empire, and had lost the greatest part of his dominions.

Notwithstanding this distressful situation of his affairs, hope never deserted him: depending on his own conduct, and on the courage and fidelity of his troops, he determined to strike a decisive blow, as soon as the winter came on, when it would be impossible for a discomfited army to appear again in the field. For this reason he allowed the combined armies of France and

and the empire to advance into Saxony, and to threaten the siege of Leipzig, before he moved against them. At his approach they retreated; but being reinforced with numbers and courage, they marched against him, and he retreated in his turn. At length, after various movements, he resolved to call in his scattered detachments, and to give them battle. The enemy, though fifty thousand strong, retired with precipitation beyond the Sala, when they found him facing about; but he pursued them close, with hardly five and twenty thousand men, and when he had brought them to a necessity of fighting, he addressed his Prussians in the following speech. "My dear friends, The hour is now at hand, in which all that is, and ought to be dear to us, depends on the swords which we draw for the battle. Time permits me to say but little; nor is there occasion to say much. Words add little strength to bravery, and never create it. You know that there is no labour, no hunger, no cold, no watching, no danger, that I have not shared in common with you; and here I stand now ready to lay down my life with you and for you. All I ask, is the same pledge of fidelity and affection that I give. And let me add, not as an incitement to your courage, but as a testimony of my own gratitude, that from this hour till you go into quarters, your pay shall be double. Acquit yourselves like men, and put your confidence in God." Never was speech received with a louder, or more unanimous burst of acclamation. It fired their breasts with that noble enthusiasm, which is the best prognostick of victory. They called for the signal of battle. The French cavalry came on with great spirit; but being repulsed, they gained an eminence, where they stood their ground with vigour. At length they were totally routed, and dismayed the infantry, who indeed made but a feeble resistance. The King, exposed to the hottest fire, led on his troops, who killed three thousand on the spot, took six thousand, and dispersed the
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the rest. They were seized with a panic, and night alone saved from entire destruction, an army that was in the morning so great and formidable.

While the Prussian arms were thus gloriously employed in Saxony, the Austrians were not idle in Silesia. Having reduced Schweidnitz, and made the garrison, consisting of four thousand men, prisoners of war, they joined their whole force, and attacked the prince of Bevern, who was posted with his army in a strong entrenched camp to cover Breslau. The Prussians sustained their repeated attacks with amazing intrepidity, and slaughtered prodigious numbers; but when one wing of their army had actually quitted the field, and the other was meditating a retreat, the Prussian general, by some unaccountable fatality, took the same resolution, and retired behind the Oder. The manner in which this officer allowed himself to be taken a few days after, gave rise to various suspicions, and made some imagine that the king of Prussia was betrayed. Whatever foundation there may be for this conjecture, the consequence was, that Breslau, with all its treasure and military stores, fell into the hands of the Austrians. The king was in the mean while hastening, by rapid marches, to the assistance of Silesia: with those troops, which he had collected from a hundred miles distance to fight a superior army at Rosbach, he was traversing a country of two hundred miles in extent, in order to fight an army still more formidable; proceeding from hardships to still greater hardships, and from dangers to still more imminent dangers. Fortune, as if she meant to ennoble his character, and spread a peculiar glory around him, seemed to have designedly thrown his affairs into confusion, that he alone might have the honour of retrieving them; and to have been so jealous of his captains, that she would not allow them to triumph but in his presence.

In his march there happened an accident, which while it added real strength to his army, seemed to be

an omen of his approaching success. The escort which conducted the garrison of Schweidnitz to a place of safety was but weak: the captives, hearing on their march of the victory of Rosbach, rose unanimously upon them, and seizing their arms, directed their march, by the guidance of the same good fortune which freed them, to the king's army. Such was the spirit and attachment of the ancient companions of his glory! The Austrians, confiding in their numbers, left the prince of Bevern's entrenched camp, and marched in search of the Prussians, who were no less eager for an engagement. They met at the village of Leuthen; and though the Austrians under count Daun were twice as numerous as their enemies, and had felled trees in the causeways which fronted their lines, the Prussians surmounted every obstacle, and put them to a total rout. Six thousand Austrians were left on the field, and fifteen thousand were taken, with above two hundred pieces of cannon. Breslau soon after surrendered, and the garrison, amounting to thirteen thousand men, were made prisoners of war; so that this battle deprived the empress queen of almost as many men as the army, with which her troops were defeated, contained. The consequence was, that, except the forlorn garrison of Schweidnitz, which was cut off from all communication with her dominions, nothing remained to her in all Silesia, a country in which, a few days before, she thought her empire completely established.

But this was not the only advantage which accrued to the king of Prussia, from his unparalleled generalship and heroism. The Russians, intimidated by his victories, and perhaps unable to procure subsistence in a country which they had desolated, retreated out of Prussia, and left Lehwald at liberty to turn his arms against the Swedes, who performed nothing worthy of their ancient glory. He soon stripped them of all their territories in Pomerania, except Stralsund, and laid them all under contribution, as well as the dutchy
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of Meclenburg, whose sovereign had taken up arms against Prussia.

This tide of uninterrupted success encouraged his only ally, the king of Great Britain, to resent the oppression of the French in his electoral dominions, which Richlieu, by his insatiable avarice and rapacity, was in a fair way of ruining. He seemed only to have succeeded d'Etrees, in order to destroy the French army by a total relaxation of its discipline, and to repair, by the plunder of the Hanoverians, that fortune which he had squandered away by a thousand vices. Almost every article of the treaty of Closter-Seven was violated, and the gallant Hanoverians saw, with grief and indignation, their hands tied, while France fattened on the spoils of their country, and added to the orderly, but enormous exactions of her general, the pillage and insolent licentiousness of the soldiery. Things came to a crisis, when an attempt was made to deprive them of their arms, as a security to every other infraction of the convention. Prince Ferdinand of Brunswick, who had learned the art of war under the king of Prussia, put himself at their head, and made the enemy soon feel that they were still formidable. He took the town and castle of Harburg, and straitened the quarters of the French, while he extended his own, and prepared to expel them out of Germany, as soon as the rigour of the season would permit. Being joined by a body of Prussian horse, they began their operations about the middle of February, and made the enemy, who, notwithstanding all their plunder, were in a woeful plight, retire before them. They were now commanded by Clermont, their third general in the course of one campaign; an evident proof that the French councils were directed by the unsteady hand of a woman. He saw it was in vain to collect his forces, and oppose the Hanoverians in the field, while his troops were destitute of clothes, of discipline, of health; while the officers were disorderly, and the soldiers disobedient; while

while his hospitals were full, and his magazines empty. He therefore resolved to evacuate Germany, as the only probable means of preserving the remains of an army that was once so mighty. In the execution of this plan he found much difficulty. The enemy hung upon his rear; the hussars and light troops continually harassed and cut off his parties; while the French found no other way of retaliating, or wreaking their vengeance, but by inhuman cruelties and brutalities exercised against the unarmed inhabitants. At length, however, they crossed the Rhine, but with the loss of more than half the number which had entered Germany in the spring. The only place where they made any considerable resistance, was at Minden, whose garrison of four thousand men were in nine days made prisoners of war. Thus did the unparalleled genius of the king of Prussia retrieve, not only his own desperate affairs, but also those of his allies; and to him, perhaps, England is partly indebted, for that spirit which has rendered her arms triumphant in every quarter of the globe.

This year, however, proved as unfortunate to her as the preceding. Besides the expedition against Rochford, which has been mentioned, another was planned for the reduction of Louisbourg: but it was attended with the same fate. General Loudon, admiral Holbourn, and the rest of the officers, received intelligence, when they were upon the point of sailing from Halifax, that the fort which they were going to besiege, had received a considerable reinforcement of troops, with plenty of provisions and military stores, and that it was protected by a fleet superior to the British. They immediately held a council of war, and though the troops were nearly equal in number to those which afterwards reduced it, they were almost unanimous in making no attempt. The admiral, indeed, cruized off Louisbourg without any apparent view, till his fleet was, with the loss of one ship, shattered and dispersed by a storm. The French,
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taking advantage of the absence of our forces on this inglorious expedition, took Fort Henry, with all its stores, and all the shipping on Lake George, though the garrison consisted of two thousand five hundred men, and general Webb was not far off with four thousand more; who, if they had advanced, and acted with spirit, might have rendered the designs of Montcalm abortive. Thus, through the pusillanimity of our officers, affairs grew worse and worse in America, though we had twenty thousand regulars, besides provincials, in that quarter of the world.

In the East Indies, where there had hardly been any interval of peace, our arms prospered, notwithstanding the inconsiderable force which was upon the scene of action. Admiral Watson, who had but three ships of the line, reduced Busbudgia fort, which opened a passage to Calcutta, the scene of the deplorable sufferings of so many Britons. In conjunction with the gallant colonel Clive, who commanded the land forces, he took it in one day, the soldiers and sailors vying with each other in bravery, in revenging the death of their countrymen, and in restoring the honour of England. Hugly, situated a little higher up the Ganges, shared the same fate in a few days. The Nabob, who saw that forts defended by Indians were but a weak rampart against English valour, drew together a body of ten thousand horse, and twelve thousand foot; with whom he proposed to extirpate the English name out of Bengal. But Clive, though prodigiously inferior in numbers, did not fear to give him battle. The Indians were not entirely routed, but they were so roughly handled, that the Nabob was glad to conclude a treaty, by which the company was not only restored to its ancient rights, but indemnified for the losses sustained at Calcutta, and exempted from the payment of all taxes. This enemy being removed for the present, Chandanagore, the principal settlement of the French on the Ganges, was attacked and reduced in three hours. Our troops became masters of
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four forts in four days! The Nabob had, under various pretences, delayed to perform the articles of the last treaty, and it was easily perceived that his intention was to elude it entirely, as soon as he found himself sufficiently strong for taking the field. The English chiefs thought it prudence to temporise, till the French power, which was more formidable than any Nabob, was broken and ruined. This being now effected, they entered into a treaty with Jaffier Ali Cawn, a powerful chief, who had formed a conspiracy against the Nabob, in conjunction with other officers who could not endure that violent and perfidious spirit, which bore no less heavy upon his own subjects than upon the English. Having planned their operations, they marched directly against the enemies, whom they routed; the troops under Jaffier Ali Cawn and Roy Dolub remaining inactive in the engagement. Colonel Clive entered Muxadavat, a city as large, rich, and populous, as London, and placed upon the ancient throne of the Nabobs, Jaffier Ali Cawn, who received the homage of all ranks as Suba of Bengal, Bahar, and Orixá. This great revolution, by which was rendered dependent on England, a kingdom yielding to few in Europe in extent, to none in fertility, population and commerce, was effected in thirteen days, with less force than is often required to reduce a paltry village in Germany. By the alliance offensive and defensive, which was made with the new Nabob, the French were excluded from Bengal, the territories of the company were enlarged, upwards of two millions sterling was granted as an indemnification to the sufferers at Calcutta, and a gratuity of six hundred thousand pounds was allowed the land and sea forces. So that it may be justly questioned, whether we will not receive more benefit from the operations of this campaign in India, than from all our expensive successes in America.

(1758) Notwithstanding all her disappointments and disasters, Great-Britain was neither dispirited nor exhausted,

exhausted. Such was the confidence reposed in the abilities and integrity of the minister, that immense supplies were raised with the greatest facility. Sums, of which an unpopular man durst never have thought, were, through his credit, granted by the people, not only without murmur, but with alacrity. They saw unanimity restored to our councils, and vigour to our military operations; they saw our trade duly protected by our superior navy, and many errors and abuses, which the war had brought to light, corrected. The absurd and pernicious maxim of promoting officers, merely on account of seniority, was no longer regarded; and a spirit of activity was revived in our army by fear or by shame.

France, under the auspices of marshal Belleisle, attempted the like reform: but, had her resources been much more various and inexhaustible than they were, it was very difficult, if not impossible, for the most consummate abilities to succeed, where the whole machine of government was secretly moved by female ignorance and caprice. Yet, in spite of all these untoward circumstances, she continued faithful to her engagements with the grand confederacy formed against Prussia, hoping that, by employing the arms of Germany against itself, she would be able to achieve the conquest of Hanover, and thus to procure herself a full indemnification for any losses which she might sustain in other parts of the world.

The knowledge of these views, and the partiality which the Prussian monarch's extraordinary talents and wonderful successes had created in his favour, determined the British minister to draw the bands of friendship betwixt him and England closer, by giving him pecuniary aid, the most effectual support which the situation of both parties could at that time admit. At London, therefore, was signed a convention, by which he was entitled to an annual subsidy of six hundred and seventy thousand pounds from this nation: no equivalent whatever being stipulated, nor any

any other article of significance inserted, except that no peace should be concluded but by mutual consent. For these reasons many blamed the treaty as extravagant and impolitic, never considering that in all probability this generous grant of the British parliament saved the Prussian dominions from being dismembered, and the balance of the North from being overturned. Had it not been for this step, Russia must have made a final conquest of the kingdom of Prussia, and thus not only over-awed Germany, but rivetted those chains, in which her over-grown power, and the possession of Courland, enable her to hold the distracted republic of Poland. The confederate arms, after crushing the house of Brandenburg, must have been turned against Hanover, which no efforts of England could have preserved from such superior numbers. In short, there was the greatest reason to apprehend that each of these formidable powers would become still more formidable by an accession of fresh territory. The animosity of the two empresses against the king of Prussia, was so inveterate, that they would have made any sacrifice to gratify their revenge; and it was not prudent to trust the general safety to the quarrels which might arise betwixt them, about the division of the spoil. The delivery of two barrier towns into the hands of the French, and the hostilities committed in Hanover by the Austrian troops, shewed clearly how far her Hungarian majesty might be carried, by her ingratitude and resentment. Indeed, if it was possible for us, at the beginning of the troubles, to have thrown ourselves into the scale of the two empresses, without giving any subsidy; and to have left France the burden of supporting the king of Prussia, our ministers discovered great imprudence in not embracing that measure; as it would have weakened the efforts of our natural enemy against the king's German dominions, and enabled us to act with more vigour. The existence of two German families, almost equally powerful, can be only advan-

tageous to France: Great-Britain, if she regards her own interest, must wish to see the one exalted at the expence of the other, that the head of the empire may be singly a match for France, and relieve us from the necessity of lavishing our blood and treasure in keeping the balance even between the contending parties. It is very immaterial to what particular family this happy lot falls. The Houses of Austria or Brandenburg are the same in the eye of a politician, who must harbour no predilection, no partiality, but regulate his sentiments by the good of his country. It is evident, therefore, that the conduct of France in this war was diametrically opposite to her true and permanent interest, and that England falls under the same censure, if, as there is good reason to believe, she was previously solicited by the two empresses upon better terms than were granted to her rival. The improvidence of the former ministry, however, and perhaps the weakness of the sovereign, who vainly hoped by two contradictory treaties to ensure the tranquillity of the empire, are to be blamed for this impolitic step. Mr. Pitt, when he undertook the management of affairs, found the nation engaged in the war, and actually attacked by the empress queen. What could he do but give the most effectual assistance to our only ally, that he might find sufficient employment for her arms in the defence of her own dominions? The lucky turn which the battle of Rosbach gave to our affairs in Hanover, deserved some acknowledgement.

This considerable drain upon our finances, did not relax the vigour of our operations in other quarters: a few regiments were sent to reinforce the army under prince Ferdinand; while the bulk of the English forces were employed in the reduction of the French colonies, and in destroying their trade and marine. On the first of June two squadrons sailed from Portsmouth; the greater, under lord Anson, bore away for the bay of Biscay, in order to spread the alarm, and to watch the French fleet in the harbour of Brest: the lesser,

lesser, under commodore Howe, arrived with the transports near St. Maloes, where the troops were landed without opposition. The want of artillery and sufficient strength, rendered the reduction of the town impracticable, though it was but indifferently fortified. Several naval magazines, however, and a hundred sail of ships were burnt; which proved no less ruinous than disgraceful to France. The forces being safely reimbarked, made an attempt to land near Cherbourg; but a hard gale of wind, the want of provisions, and the sickliness of the soldiers, determined the commanders to steer into some British port.

Though the success of this expedition sufficiently answered the intention of such an armament, the people, who are often unreasonable in their expectations, were not satisfied. But their spirits were soon revived, by seeing preparations made for another enterprize of a similar nature. In order to allow France no respite, and to retaliate, by real attacks, the alarms which her menaces of an imaginary invasion had once caused, general Bligh, with near six thousand men, landed at Cherbourg in Brittany. The enemy made as little opposition to the march of the troops, as they had done to their disembarkation: abandoning their entrenchments by a most shameful despair, they suffered the English to take possession of Cherbourg the following day. When the harbour, which was improved by Belidor at such a vast expence to France, was ruined by the destruction of the mole, the bason, the sluices, and other works of ingenuity and labour; when the ships found in it were burnt, and hostages taken for the payment of the contributions levied on the town, the troops reimbarked without any loss, and left a place, which this blow, in all probability, prevented from becoming one day another Dunkirk.

Though the fleet was driven to the coast of England, it was resolved to make another descent on France. Accordingly the same troops were landed near

St. Maloes, though it was evident to common sense, that, as the place proved lately impregnable to a superior force, there was at this time no probability of success. This, however, was not the most unfortunate accident. The bay of St. Lunar, where the commodore's fleet rode, was so rocky and dangerous, that he could not continue longer in it with safety. He therefore moved up to the bay of St. Cas, lying three leagues to the westward. The fleet being thus separated from the army, the latter was obliged to follow: but, as no attack was apprehended, a resolution was taken to penetrate farther into the country. They soon found their intelligence fallacious. The duke d'Alguillon, with twelve battalions and six squadrons of regulars, supported by two regiments of militia, arrived unexpectedly within six miles of the main body. They were but three miles distant from the fleet; but through their ignorance of the country, so much time was consumed in this march, that before the rear, consisting of the first regiment of guards, and the grenadiers of the whole army, could be embarked, the enemy began the attack. Our troops assuming a bold countenance, the only resource left, received them with the utmost gallantry, and shewed themselves worthy of a better fortune. They never gave ground to such a vast superiority, till their ammunition was spent. Then they attempted to retreat; but they fell into confusion, and a dismal slaughter and carnage ensued. Many rushed into the water, and in that element met their fate. General Drury, the second in command, was drowned. Sir John Armitage, a volunteer of great merit and property, was shot through the head. Several officers of distinction fell. At length the fire of the frigates ceased, and quarter was immediately granted. Four hundred were made prisoners, and six hundred killed and wounded.

The French, elated with this advantage, magnified it greatly in their Gazettes, in order to console the people, who saw their trade ruined, and their country insulted

insulted till now with impunity. The English, upon whose minds this disaster made a deeper impression than an affair of such little importance ought, soon forgot it in the agreeable contemplation of their success in America.

Admiral Boscawen, who had been dispatched with a powerful fleet against Louisbourg, having taken on board at Halifax the land forces, amounting to fourteen thousand men, appeared before that place on the second of June. The prodigious surf, which for some days swelled along the shore, rendered a landing impracticable. At length it subsided a little, and the critical moment was seized by the admiral. He ordered the frigates to the right and left of the lines, which the enemy had erected to prevent their disembarkation. After these ships had raked them in flank for a quarter of an hour, the boats, in three divisions, moved towards the shore. General Wolfe's division, which was designed for the real attack, continued to advance without molestation, till it had almost reached the shore. Then the enemy, who had reserved their fire, plied it with their artillery and musquetry. The surf aided their endeavours. Many of the boats were overset, many broke to pieces: the men jumped into the water; some were killed, some drowned. The rest, encouraged by the example, spirit, and conduct of their gallant leader, gained the shore, took their ranks, and fell upon the enemy, with such firmness and resolution, that they soon obliged them to fly in confusion. The difficulty of landing the artillery, stores, and instruments requisite in a siege, retarded for some days the operations of the English. When these and other obstacles were surmounted, a battery under the direction of Wolfe was erected, which by degrees silenced the enemy's principal battery at the mouth of the harbour. Five ships of the line, however, which lay at anchor in the basin, and could bring all their guns to bear, galled him with their fire. At length one of them blew up, and communicated

the flame to two others, which were soon consumed to the water's edge. This was an irreparable loss; the outworks were greatly damaged, the town itself was in several places reduced to ashes: the fire of the besieged slackened; the approaches almost reached the covered way, and a lodgment in it might be justly apprehended. Yet the enemy still delayed to capitulate. This gave the sailors an opportunity of signalizing their bravery, and disputing the palm of glory with the land forces. Captain Laforey, with a detachment of six hundred men in boats, sailed into the harbour, in order to burn or take the two ships which remained; that, if the attempt succeeded, the admiral might, with some of his great ships, batter the walls on the side of the sea. The plan was as bravely executed as it was judiciously projected. In spite of the fire from the ships and batteries, the gallant Laforey, seconded by the intrepidity of the seamen, mastered both vessels. One he towed off, the other, having run a-ground, was set on fire. This stroke in support of the spirited advances of the land forces was conclusive. The garrison, to the number of five thousand six hundred men, surrendered next day prisoners of war. Thus fell Louisbourg, the great receptacle of the enemy's privateers, and with it the island of St. John, and every other settlement which they possessed for carrying on the cod-fishery.

Important as this object was, our operations in America were not solely confined to it: the minister's plan was more comprehensive. Abercrombie, our commander in chief in that quarter, marched with sixteen thousand men against Crown Point, in order to secure our colonies from inroads, and to open a passage into the heart of Canada. Till he came in sight of the enemy's lines, he met with no obstruction but an accidental skirmish with their advanced guard, which in killed and wounded lost above four hundred men. The loss on the English side was inconsiderable in number, but great in consequence. Lord Howe fell,

fell, when his skill and prudence were most wanting; and his death is supposed to have chiefly contributed to the disaster which followed. The fort is situated on a tongue of land surrounded by water every where but in front, which is defended for a considerable length by an impassable morass. Where this bulwark failed, a strong line, upwards of eight feet high, was thrown up and mounted with cannon. A row of trees was strewed before it, in order to deceive the eye, and to prevent the approach of the assailants. Behind, a body of five or six thousand men were posted. The chief engineer, after reconnoitring the situation, gave it as his opinion, that the retrinchments might be forced with musketry alone. As there was some difficulty in bringing up the artillery, and a reinforcement of three thousand men was said to be on the point of joining the French, a precipitate resolution was taken to make an immediate attack. How the general himself, who ought always to be a good engineer, came not to view the ground which the enemy occupied, no one need be at a loss to determine. How the engineer happened to make so fallacious a report is as little problematical. Had he approached a little nearer to the lines, his notions must have been more just. Be this as it will, the army advanced, and, after firing four hours successively, found that they made no impression on the entrenchments. The general saw, when it was too late, that it was in vain to persist. In order to save the remains of the army, he ordered a retreat. Two thousand men were missing. Another officer would, upon the arrival of his artillery, have led such a superior force again to the charge; but this prudent gentleman gained, on the very evening of the action, his former camp to the southward of Lake George.

However, in order to make some compensation for this disgraceful overthrow, he detached three thousand provincials, under colonel Breadstreet, against

against Fort Frontenac, which was easily taken and destroyed, with nine armed sloops, and large quantities of provisions, which had been there amassed for the use of the French colonies to the southward. General Forbes met with the same success in the reduction of Fort du Quesne, which with great propriety now received the name of Pittsburg. In Africa too our arms were this year triumphant. Commodore Keppel, assisted by colonel Worgee, took Goree, and other French settlements, on the river Senegal; by which we became masters of the gum trade, and other valuable branches of commerce. In the Mediterranean admiral Osborn's squadron gave a violent blow to the enemy's marine, and, in conjunction with the conquerors of Louisbourg, received the highest of all honours, the thanks of his country, by the mouth of the representative body of the people.

The extensive and vigorous operations of which we have given an account, did not prevent the ministers from opposing a proper force to the French arms in Germany. Prince Ferdinand, in order to oblige the prince of Soubize to abandon the enterprise, which he was meditating against Hesse Cassel, crossed the Rhine in the presence of the French army, and by that action exposed to ridicule the fulsome panegyrics, which the last age bestowed on a monarch for passing it at the head of a mighty force unopposed by an enemy. Though he was not able to compass his principal aim, yet he gained at Crevelt a victory, which reflected the greatest honour on his military capacity and on the bravery of his troops. The enemies lost at least seven thousand men; but being on their own frontiers they were speedily and strongly reinforced: so that they were soon in a condition not only to make some stand against the Hanoverians, but also to send considerable reinforcements to their army beyond the river. The prince, however, willing to improve his advantage to the utmost, appeared with a detachment before Duffeldorp, and by a severe bombardment obliged it to capitulate. This acqui-

acquisition multiplied his posts and communications, and rendered the prosecution of his original plan more easy. But while he pleased himself with these thoughts, and continued to act with as much spirit as his situation would permit, he received intelligence that the conjoined forces of Soubize and Broglie had defeated the Hessian army near Sangerhausen. The only resource now left him was either to fight the enemy, or to repass the Rhine. The former was impracticable without manifest hazard, as they industriously avoided a battle, and the latter was no easy matter, as the heavy rains had made the roads almost impassable, and had swelled the river to such a degree that the bridge at Rees was useless.

These circumstances did not escape the penetration of Chevert, one of the ablest generals among the French. He had been detached over the Rhine in order to recover Dusseldorp. But the same unseasonable weather, which had embarrassed the Hanoverian general, disconcerted his project. Upon its ruin he resolved to build another of greater moment. He collected about twelve thousand men, and marched against baron Imhoff, who was posted at Meers in order to cover the bridge at Rees, to secure a considerable magazine, and to keep open a communication between the main army and the English reinforcements, which were approaching under the duke of Marlborough. Imhoff, who was apprised of his designs, saw that it was in vain to expect assistance from prince Ferdinand, and that the enemy might by turning his camp become masters of Meers, and thus gain their principal object. Forming therefore a resolution worthy of a consummate officer, he marched out of his entrenchments, and, though he commanded hardly three thousand men, determined to attack them by surprize. Fortune proved favourable to his daring enterprize. As they were marching into difficult ground he ordered a small party posted in a coppice to fall upon their left, which he observed to be uncovered.

covered. The fire of this detachment was the signal for the rest to advance, and attack with bayonets fixed. The French, thus pushed with unexpected vigour, fell immediately into confusion, and gave way in less than half an hour. Leaving the field of battle covered with their dead, they took shelter under the cannon of Wesel. Many prisoners and much baggage and artillery remained in the hands of the Hanoverians.

This signal advantage over such a vast superiority of numbers was not more gallantly obtained than it was well improved. The general, seeing that the continuance of the rains made the bridge at Rees still useless, quitted his post at Meers, and, after having taken proper care of his magazine, marched towards the English, whom he happily joined, and led towards the main army, which prince Ferdinand conducted back into Westphalia with as little difficulty and obstruction as he had left it in the spring. The enemy did not venture to attack his rear guard, for fear of bringing on a general engagement. The same motive deterred them from attempting any bold stroke, after they had passed the river. They sent, however, to the prince of Soubize, strong reinforcements, which increased his army to thirty thousand men. General Oberg, who now took the command of the Hessian army, could not muster above fifteen thousand, unprovided with cavalry. He was attacked and defeated with considerable loss. But he fell back upon prince Ferdinand, who advanced with great expedition as far as Rheda, and posted his troops so judiciously as to secure the Weser without losing any thing along the Rhine. By these motions, indeed, the electorate was in some measure left uncovered, and exposed to the ravages of the enemy's light troops. But though they penetrated as far as the gates of Hanover, they were not able to occupy or secure any post of moment.

While these armies were thus engaged in Westphalia, the rest of Germany was not idle. The king of Prussia

sia had in the beginning of May reduced Schweidnitz, and made the Austrian garrison prisoners of war. Having thus left his enemies no footing in his dominions, he broke into Moravia, and laid siege to Olmutz, the capital of that province. Marshal Daun, whom neither inclination nor the state of his army made eager for an engagement, posted himself in a mountainous country, where it was impossible to attack him with any prospect of advantage; and where it was easy for him to harass the Prussian troops, and to intercept their convoys. It was in vain the king of Prussia endeavoured, by all the arts of a great commander, to provoke or entice him out of his entrenchments. He thought it was idle to expose to the hazard of a battle the sure game which he was playing. He kept his eye unerringly fixed upon one grand object. The great extent of the fortifications of Olmutz, with some other advantages, renders it extremely difficult to invest it completely. He therefore made attacks almost every night on the Prussian posts; and, though the success was various, yet abundant supplies both of men and ammunition were thrown into the town. Matters had gone on in this train for a considerable time without any decisive advantage on either side. At length Daun received intelligence that a large and important convoy was on the twenty-fifth of June to leave Troppau. He ordered two detachments, that were posted in different places, to attack it at one and the same time; and he approached the king of Prussia, as if he intended to give him battle. That monarch was too penetrating to be deceived by this feint. He detached general Ziethen with a considerable party to support the convoy. But it had been attacked before his arrival, and the Austrians repulsed. Being reinforced, they renewed the attack the next day, and, notwithstanding all the efforts of the accomplished Ziethen, took all the waggons in the center. The rear was pushed back towards Troppau, and

and the head with great difficulty reached the Prussian camp.

This stroke was fatal, because want of time made it impossible to repair it. The Cossacks and Calmucks by their ravages and cruelties announced the approach of the grand Russian army, and called the king loudly to the defence of his own dominions. He raised the siege: but instead of retreating into Silesia, and drawing the Austrians after him into the heart of his territories, he took advantage of marshal Daun's advance to Posenitz in order to give the most effectual support to Olmutz, and penetrated into Bohemia, which he had left exposed. He took his measures with such precaution, that he gained an entire march of the Austrians, and after seizing on a large magazine at Leutomissel, and defeating several bodies of the enemies, arrived without any disaster at Koninggratz, one of the most important posts in Bohemia. Having dislodged a body of seven thousand men, by which it was occupied, he laid the city and all the adjacent country under contribution. Then, re-entering Silesia, he directed his march towards the Russians, who had now united their divided troops, and fixed the long fluctuating plan of their operations, by laying siege to Custrin, a city in the New Marche of Brandenburg. The buildings were soon reduced to ashes by a furious bombardment; and such of the inhabitants as did not perish by the flames were glad to save their lives by abandoning their houses and possessions, and escaping almost naked on that side, which was not invested. But the governor, faithful to his trust, made incredible efforts in the defence of the walls and ruins; and though the fortifications, which were built according to the old model, yielded him but little assistance, he persevered to the last extremity. The enemies had now taken post in the suburbs, and the principal magazine of the besieged was blown up, when the protector and avenger of his people appeared,

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On the first notice of his approach they abandoned the siege, and marched towards the village of Zorn-dorff. His intention was to turn their left flank, and to attack their rear, in order to throw them into confusion. They comprehended his design, and formed themselves into a square body, defended on every side by cannon and chevaux de frize. In this formidable position they waited the attack of the Prussians, who were now, in the strictest sense, to fight for their country, which was threatened with one of the severest scourges, with which Providence can chastise a nation. Every object that presented itself conspired to rouse the soldier to revenge. Every where marks of barbarous cruelty shocked their souls. The fields looked desolate and deserted, and the villages smoked around. They seemed to carry on war not so much against the Prussians as against human nature. About nine in the morning a terrible fire of cannon and mortars rained on the right wing of the Russians, which stood its ground with amazing perseverance. They fell in their ranks; new regiments still pressed forward to fill their places, and to supply new slaughter. When the first line had fired away all its charges, it rushed forward with bayonets fixed. The Prussian infantry, that firm body, which had often stood, and often given so many terrible shocks, actuated by one of those unaccountable movements of the mind, which render all the events of war precarious, gave ground in the presence of their sovereign, and, after they had in some measure secured the victory, retired in disorder before the half-broken battalions of the Muscovites. Had their generals improved this advantage by bringing their horse into action; this might possibly have been the last day of the Prussian greatness. The king was not so unskilful. In this anxious moment, while the battle yet hung in suspense, he ordered general Sedlitz to pour in all the cavalry of his right wing upon the enemies, uncovered by their horse, and disordered even by their success. As he foresaw, the
Russians

Russians were repulsed with a miserable slaughter. His foot, exasperated by their disgrace, returned to the charge, and entirely turned the scale of battle. The enemies were thrown into the most dreadful confusion. The wind blew the dust and smoke full in their faces. They no longer distinguished friend or foe. They fired on each other. They plundered their own baggage, and intoxicated themselves with brandy. Orders were no more heard: the ranks fell in upon one another, and they were so closely crammed in a narrow space, that every shot discharged by the Prussians had its full effect; while they kept up only a scattered fire over the heads of their enemies. Yet still they kept their ground till about seven in the evening, when a judicious attack on the right wing of the Prussians gave them some respite, and allowed them time to recover their order, and to retire a little from the scene of their disaster. Their loss on this bloody day amounted to more than twenty-one thousand men. Their baggage, their military chest, and a vast train of artillery were taken. The king renewed the attack the next morning. The event of the preceding day convinced them that the only way to safety was in a retreat; and in effect they retreated as far as Landsberg on the frontiers of Poland.

Satisfied with having rendered them incapable of undertaking any enterprize of moment during the remainder of this campaign, he left count Dohna with a small army to observe their motions, and directed his march towards Saxony in order to relieve prince Henry, who, notwithstanding his strong situation, was in danger of being overpowered by the superior armies of Austria and the empire. In spite of all the obstacles thrown in his way he joined his brother, and thus, after defeating a superior body of the enemies at one extremity of his dominions, baffled, without fighting, another superior body at the other extremity. For some time after this junction the two hostile armies made no remarkable movements. Daun kept his ad-
vantagous

vantageous camp at Stolpen, where he preserved a communication with the army of the empire, and prevented any succour from being sent to the fortresses of Neiß and Cosel, which were invested by Austrian troops. The king lay at Bautzen, and seemed principally to aim at cutting off the marshal's convoys from Bohemia. Matters were so balanced that a battle appeared inevitable; marches and countermarches, however skilfully managed, could not answer their intentions. Daun, sensible of this, imparted his design to the prince of Deux Ponts, and, after having agreed with him to second his operations, marched in the dead of a very dark night against the right wing of the Prussian camp. Whether it was owing to treachery, or want of vigilance, he reached it without discovery, without confusion, and began the assault about five in the morning. The Prussians had not time to strike their tents: half naked they were forced to run to arms. At the first onset marshal Keith fell, having received two bullets in the breast. Prince Francis of Brunswick had his head shot off by a cannon-ball as he mounted his horse. The king was now left alone to sustain the whole weight of the enemy. His presence of mind, his firmness, his activity, remedied in some measure the disorder occasioned by this unexpected attack. He flew from post to post, and inspired his troops with an ardour like his own. Thrice did they in vain attempt to recover the village of Hohkirchen. The fourth effort carried it, but fresh troops pouring in continually repulsed them again with great slaughter on both sides. The king then despairing of success on that spot, sounded a retreat, which was effected in good order. His principal loss on this occasion was the loss of reputation; for by falling back to Weissenburg he only altered the position of his right wing, and the Austrians had suffered almost as much as his troops.

Perceiving by this stroke that the enemies had no serious designs against Saxony, he reinforced his army

by considerable detachments from that of prince Henry, and marched to the relief of Neifs and Cosel. The victorious Austrians threw all possible impediments in his way, but he surmounted them all, and by the rapidity of his movements, and the terror of his name, drove their armies under Harsh and De Ville back into Bohemia and Austrian Silesia. Having thus delivered his subjects in that quarter, he returned with all expedition into Saxony; where Daun had in his absence endeavoured to reduce Dresden. Schmettau, the Prussian governor, when he found the marshal resolved on the attack, burnt a considerable part of the suburbs, and prepared for a vigorous and obstinate defence. Before he had an opportunity to exert his prowess, Frederick was at hand. The imperial and Austrian armies retired into Bohemia; and the king in a triumphant manner entered Dresden. Six sieges were raised at once; the sieges of Neifs and Cosel, of Dresden, Torgau, Leipfick and Colberg. The Swedes had immediately after the battle of Zorndorff abandoned Pomerania. Thus by the most active and spirited measures did he frustrate all the prodigious efforts of his numerous enemies, and remain master of whatever he possessed at the beginning of the campaign. His actions need not the exaggerations of rhetoric; they shine sufficiently by their own splendor. If any thing in his conduct be blameable, it is his severity to the conquered Saxons. The cruelties of the Russians seem hardly a sufficient excuse for the rigour, with which he used them. A conquered people seem entitled to the rights of subjects from a just prince. Such were the exploits of this campaign, and though they were not so brilliant as those of the last, they discovered the same spirit and prowess.

(1759) Notwithstanding the severe blows which most of the belligerent powers had given and received, none of them made any overtures of peace. All prepared by the most vigorous efforts to repair their losses in the ensuing campaign. Great Britain, animated by her successes,

successes, fitted out a considerable armament for the reduction of Martinico, the most considerable of the French sugar islands. The officers, after landing the troops, judged the attempt impracticable: they re-imbarked therefore, and bore away for Guadaloupe, which was deemed not quite so impregnable. Contrary to the advice of the chief engineer, commodore Moore with his ships attacked the citadel and the batteries of Basse Terre, the capital of the island. After a furious cannonade, which lasted the whole day, the town was reduced to ashes, and all its defences dismantled. The forces landed next morning without opposition, and took possession of the place. Still, however, the enemies held out, trusting that the natural strength of the country would protect them till the expected succour arrived. But, by the spirited conduct of the colonels Clavering and Crump, they were driven from their strong holds, and obliged to capitulate the very day before Bompert brought a strong reinforcement, which, had it arrived a day sooner, might have frustrated the whole expedition.

In America four expeditions were projected. Amherst with a considerable force marched against Crown Point, which he took without any resistance. Colonel Prideaux laid siege to Niagara, but, upon his being killed, the command devolved upon Sir William Johnson, who had already given a signal proof of his military talents. The same good fortune attended him on this occasion. He defeated a body of the enemies, who endeavoured to raise the siege, and made the garrison prisoners of war.

In the original plan of operations, it was expected that the success of these enterprizes would enable the commanders to join general Wolfe in the attempt upon Quebec. But the lateness of the season, with other obstructions, prevented this scheme from taking place. Wolfe was left alone to fight against the superiority of the enemies and the almost insurmountable strength of the country. Fortune

threw in his way, difficulties, which to an inferior genius would seem unconquerable, that his fame might be immortal. His army amounted only to seven thousand men. With these he was to attack a city strong by nature and art, and defended by an able and experienced general, who had above ten thousand men under his command. He was not dismayed. The success of other officers, the hopes of his country, and his own high notions of honour impelled him to conquest. To escape uncondemned from so important an expedition was not enough for his refined soul. Pity he thought a milder kind of censure. He knew that no military conduct can shine, except it be gilded with success.

Filled with these generous sentiments, he sought every opportunity of engaging the enemies. But Montcalm could not be enticed from his entrenchments, his great object being to waste the time without action, till the season should fight for him. He had chosen his post so judiciously as to render it impracticable for the English to land on that side, on which alone the town could be attacked. He had posted centinels along the shore to give intelligence of Wolfe's motions, and disposed parties of Indians and other troops in convenient places to keep him employed, till he came up with the main body to support them. These arrangements greatly embarrassed Wolfe. One attempt, which he made to land near the enemy's camp, failed, and various movements, which he had made up and down the river, produced nothing but the burning of some magazines. At length, having by a feint induced Montcalm to detach Bougainville with fifteen hundred men up the river, and persuaded admiral Saunders to make a shew of attacking the French in their entrenchments below the town, he embarked his troops on board of admiral Holmes's division, and, in order to deceive the enemies, advanced three leagues farther up the river than the intended place

place of landing. Then he put them into boats, and fell silently down with the tide. The rapidity of the current carried them a little below the proposed spot. The ships, which followed, arrived in the critical minute to cover their landing. When they were set on shore, a high and steep hill, with one narrow winding path, appeared above them. This, though two could hardly climb it abreast, the light infantry under colonel Howe ascended, and after having dislodged the guard, who watched it, formed themselves; and the whole army was in order of battle by break of day. When Montcalm heard of this event, he could hardly credit the intelligence. Finding it to be true, he quitted his entrenchments, crossed the river St. Charles, and drew up his army opposite to the English. The dispositions on both sides were allowed to be judicious, and the battle was begun with great spirit and resolution. The English, notwithstanding the galling, but irregular fire of the light troops in front, reserved with the utmost patience and good order their fire for the main body, which was fast advancing. At the distance of forty yards they poured their volleys upon the enemies, and, continuing them with much vivacity, made such havock among the French that they began to give ground. In this critical moment fell Wolfe, and immediately after him Monckton the second in command. In spite of these unfortunate circumstances, the troops were not dispirited. Under general Townsend, they seemed to vie with each other in gallantry, and in completing the overthrow of the enemy. Howe with his light infantry frustrated all the attempts of the Indians and Canadians on the flank; and before Bougainville appeared on the rear, the affair was decided. This decisive action cost the English five hundred men. The French lost triple that number.

The death of Wolfe was answerable to the whole tenor of his life. Having received a wound in the head, he wrapped it up in his handkerchief, and en-

couraged his men to advance. Soon after he received another ball in his belly. This too he endeavoured to conceal, and exerted himself with his former heroism. At last a third ball penetrated his breast. He sunk under it, and suffered himself unwillingly to be carried behind the ranks. As he lay struggling with the anguish of three grievous wounds, he seemed only solicitous about the fortune of the day. He desired an attendant to support him as he took a view of the field; but finding the approach of death had confused and dimmed his sight, he begged of an officer, who was present, to inform him of what he saw. The officer answered that the enemies seemed broken. A few minutes after Wolfe repeated the same question with much anxiety. When he was told that they were totally routed, and fled on all sides, he said, "Then I am satisfied," and immediately expired in the arms of victory. The city surrendered in a few days, and was garrisoned with five thousand men under general Murray. Thus fell the capital of French America, and with it all their power in these parts. For, except one vigorous attempt, which they made early in the spring against Murray, they did not strike a single blow for the little which remained in their hands. Upon the appearance of Amherst they surrendered prisoners of war.

The British arms were not less successful in Europe than in America. The French, notwithstanding their former disasters at sea, had the temerity to talk again of an invasion. Flat-bottomed boats were prepared, strong fleets were fitted out at Toulon and Brest, Admiral Boscawen blocked up for a long time the squadron at Toulon; but by unfavourable weather, and the foulness of his ships, he was at last obliged to return to Gibraltar. De la Clue, the French commander, took this opportunity of sailing for the Streights. Boscawen, receiving intelligence of his approach, stood out to sea. The enemies, though superior in weight of metal, and number of men, fled
either

either through cowardice or incapacity. Two of their ships, however, were burnt, and two taken. The rest escaped to Cadiz.

The same precautions were taken during the whole summer to watch the squadron at Brest. But, on the approach of winter, a violent storm forced admiral Hawke from his station, and obliged him to take shelter in Torbay. Conflans seized the opportunity, and drew out his fleet. Hawke concluded, that the first rendezvous would be at Quiberon: he steered with all diligence for that bay. For some time fortune proved unfavourable to his diligence. At last his headmost ships discovered the enemies between Bellisle and the main land of France. Their force was nearly equal to his own; the sea was very tempestuous, and full of sands, shoals, shallows, and rocks, with which his pilots were but imperfectly acquainted. Notwithstanding these disadvantages, he gave immediate orders to chase, and about two in the afternoon, the action began with great fury. Hawke commanded his master to lay his ship along side of the Royal Sun. The master represented the inevitable dangers of the coast, as a reason to dissuade him from this resolution. Hawke answered, "You have done your duty in this remonstrance. Now obey my orders, and lay me along side of the French admiral." Another ship of seventy guns, generously interposed, and received a broadside, which sent her at once to the bottom. Had not night intervened, the whole fleet would have been destroyed. Four capital ships were sunk or burnt, and one taken. Seven threw all their guns overboard, and escaped into the river Vilaine. The rest took refuge in other ports. Thus was the last hope of the French marine shattered, disarmed and dispersed. The long threatened invasion, which was to repair their losses in other parts of the world, vanished in smoke. Their credit and power sunk together.

In Germany, the British forces gained equal glory, and covered themselves with laurels. Prince Ferdinand, as soon as the season would permit, collected a body of thirty thousand men, and marched against the French, who, in defiance of the liberties of the empire, had taken possession of Francfort, a post of the utmost consequence. Attacking Broglie at Bergen, he was repulsed; and the expedition miscarried. This adverse stroke obliged him to retreat, while the French advanced with great spirit, and looked upon the conquest of Hanover as certain. Bellisle began to give instructions to marshal Contades, about securing the acquisition, in a manner which does no honour to his humanity. It must be confessed that appearances were strongly in their favour. Minden, where immense magazines were lodged, was taken by assault, and the garrison of fifteen hundred men were made prisoners of war. Ritberg was surprized, and Munster, with four thousand men, fell into the enemies hands. Their light troops penetrated to the very gates of Hanover, and the archives and valuable moveables were conveyed to Stade.

Nothing but a victory could turn this tide of success. Accordingly, Ferdinand resolved to bring on a battle. In order to effect this, it was necessary to entice them out of the strong post, which at that time they occupied. Knowing that their grand object was to cut off his communication with the Weser, he left a considerable body under Wangenheim, entrenched on the side of that river, and marched himself with the greatest part of the army to Hillen. The French generals were not inattentive to these movements. They held a council of war, in which it was resolved to attack Wangenheim, who seemed at too great a distance from the rest of the forces to be relieved. But they were greatly deceived. The prince marched back in the night, and presented his whole army in excellent order to the enemies, as they advanced. He had, indeed, detached the hereditary prince, with six thousand

thousand men to attack a large body of the French under the duke of Brisaç on their left flank. This young hero forced them from their strong post, and obliged them to take refuge in Minden. The news of this disaster came, as a very ill omen, to Contades, when the English infantry began to engage his center, which was composed of the flower of his cavalry, the glory and strength of the French armies. These great bodies of horse supported by some brigades of foot were cut to pieces, or entirely routed. Six British regiments with the Hanoverian guards gained the battle of Minden. Seeing their center discomfited, and their right making no impression on Wangenheim, they thought of nothing but a retreat. At this critical moment had lord Sackville, according to orders, poured in his cavalry upon the dismayed French, they would in all probability have been left without an army in Germany. By some unaccountable fatality he did not execute this essential service, and missed a fair opportunity of being ranked with the Marlboroughs and Brunswicks. The enemies, however, lost seven thousand men, and were so roughly handled, that they relinquished all their conquests, and were, after many other severe losses, obliged to encamp on the same spot, where they had begun the campaign.

Early in the spring the Prussian monarch had detached general Woberfnow into Poland in order to destroy the magazines, which the Russians were amassing for the approaching summer. This service he successfully performed. Prince Henry was equally fortunate in two expeditions, which he undertook for the like purpose into Bohemia and Franconia. For some time these blows retarded the operations of the enemies. At length the Russians, by whose motions the other armies were governed, drew near the Oder. Count Dohna, who watched their motions, saw that their numbers were too great, and their posts too strong to be attacked with any prospect of success. He therefore contented himself with harrassing them on
their

their march. This conduct was more cautious and timid than the circumstances or the inclinations of Frederick could bear. Dohna resigned his command, and Wedel was substituted in his room, with positive orders to engage the Russians at all events. With scarce thirty thousand men he was to attack seventy thousand strong, posted on eminences and defended by a numerous artillery; and what rendered the attempt still more dangerous, he had a bridge to cross, and a defile to pass, through which half a battalion could hardly march in front. The ground was such, that the cavalry could not support the infantry. The issue was such as might have been expected. After a bloody and obstinate fight he was repulsed with the loss of four or five thousand men. But he was not pursued in his retreat. He repassed the Oder without molestation.

This disaster obliged the king, who had since the beginning of the war gained no considerable advantage, where he did not command in person, to join Wedel with twelve thousand men. But finding himself still too weak to encounter the Russians, who had been strengthened by eight thousand foot and twelve thousand horse under the Austrian general Laudohn, he recalled general Finck, whom he had sent into Saxony with nine thousand men. With all these reinforcements his army did not amount to fifty thousand, while the enemies were almost double that number, and strongly entrenched. Still it was absolutely necessary to fight. The multitude of his enemies did not allow him to regard situations and watch opportunities. Rashness could hardly dictate any measure, which in his condition would not have been recommended by prudence. About eleven the action began with a fierce cannonade, which had the desired effect. He then attacked the left wing of the Russians with battalions ranged in columns, which drove them from their entrenchments with great slaughter. The stand which they made at the redoubts, which covered

covered the village of Cunnersdorf was no more successful. The village itself was forced. For six hours fortune favoured the Prussians. They had taken more than half their artillery. Scarce any thing seemed wanting to the most complete overthrow. In these circumstances the king wrote the following billet to the queen. "Madam, We have beat the
"Russians from their entrenchments. In two hours
"expect to hear of a glorious victory." The enemies, defeated almost in every quarter, collected their whole force on an advantageous eminence called The Jews Burying Ground, and determined to make one vigorous effort. His generals represented to the king the difficulty of forcing this spot, the impossibility of bringing up artillery, the fatigue of his troops, engaged for six hours in one of the hottest days ever known, and the certainty of his enjoying all the fruits of the completest victory from what had been already achieved. But he could not bear to be a conqueror by halves. Once more he put all to the hazard. His enfeebled infantry were in two attacks repulsed with great slaughter. The cavalry in redoubled efforts shared the same fate. The horses as well as their riders were spent. It was then that the Russian and Austrian cavalry, which were yet fresh, poured down upon them and completed their overthrow. The king, prodigal of a life, to which he thought conquest should be always attached, exposed his person to every danger, and by amazing efforts of skill, courage and despair endeavoured to restore the battle. Thrice he led on his troops to the charge. Two horses were killed under him, and several balls were in his cloaths. All his daring manœuvres proved ineffectual. The night alone, and the judicious defence of some eminences, saved the Prussians from total destruction. In this dismal situation he dispatched the following message to the queen. "Remove from Berlin with the
"royal family. Let the archives be carried to Potz-
"dam,

“dam. The town may make conditions with the
“enemy.” Such are the sudden reverses of war.

Notwithstanding this terrible blow, by which he sustained the loss of twenty thousand men, he was, to the astonishment of the world, soon able to curb the united armies of Soltikoff and Daun, and to make them act upon the defensive. He posted himself between the Russians and Great Glogau, where they intended to fix their winter-quarters. But the admirable march of prince Henry into Saxony obliged Daun to separate from the Russians, in order to secure the conquests, which the imperial army had made. Indeed they had recovered the whole country. Before his arrival, however, the Prussians had forced them to abandon all, except Dresden. The generals Finck and Wunsch, as well as prince Henry, had given them such severe blows as obliged them to retire. The Russians soon after retreated into Poland, and left the king of Prussia at liberty to join his forces in Saxony. Here he found himself at the head of a gallant army, ready to execute the most desperate of his commands.

In order to force Daun to an engagement at a disadvantage, he detached Finck with a considerable body to take possession of the defiles of Maxen, through which the Austrians must receive all their provisions from Bohemia. These troops neglected to secure the eminences, which commanded the defiles, in which they were posted. Daun improved this oversight to the utmost. He surrounded the Prussians, who for a whole day made the most intrepid efforts to disengage themselves, but to no purpose. In the night more obstacles were thrown in their way, so that Finck was obliged to come to the shameful resolution of laying down his arms. Nineteen battalions and thirty-five squadrons of Prussians, surrendered without a blow. The king was caught in his own snare, and saw the enemies fully indemnified for the capture of the Saxons,

Saxons, who had laid down their arms near the same place, at the beginning of the war.

This was not the only disaster which befel him at this juncture. A rear guard of three thousand men were cut to pieces by the Austrians near Meissen, as they were endeavouring to cross the Elbe. Daun, however, was too cautious a general to attack the king. He retired behind Dresden, as if he had been conquered.

Prince Ferdinand having now little to fear from the French, dispatched twelve thousand of his best troops under the hereditary prince, to the assistance of the distressed monarch. In their way they cut to pieces, or dispersed the Wurtemberghers, who were preparing to act in favour of France. They arrived in Saxony without the loss of a man; but the severity of the winter prevented them from being brought into action. The Austrians as well as Prussians wintered in Saxony, which was destined to be scourged no less by its friends than by its foes. A contagious disease, which broke out in the armies, diffused itself among the inhabitants, and made dreadful havoc. The cattle too were seized with a pestilential distemper; and famine was added to their other calamities.

(1760) These circumstances rendered it more easy for the king of Prussia to recruit his armies, the life of a soldier being an object of envy to the miserable peasantry, and death seeming more honourable, and less certain by the sword than by want. In the spring no gaps were seen in his armies: they were by these and other resources made up to their full complement. He remained, however, on the defensive, in order to be as fresh as possible against the approach of winter, when any advantage gained might be improved to its full extent. But this plan was disconcerted by the vigour of general Laudohn, who with a superior army surrounded Fouquet, one of his generals, at Laudshut, and killed or took his troops to the number of eleven

eleven thousand men. He lost, it is true, twelve thousand men in forcing his intrenchments; but his victory enabled him to storm Glatz, and thus seize immense magazines of provisions and military stores. Silesia was now open to his arms. The king was far distant in Saxony, and prince Henry was obliged to watch the Russians on the Oder. He therefore directed his march towards Breslau, in order to take it by assault or by a siege.

In the mean while the king marched towards Silesia, but, when he found that Daun had got the start of him, he returned upon his steps, and laid siege to Dresden, hoping to reduce it before Daun could come to its relief. Failing in this attempt, he marched with admirable expedition into Silesia, where the approach of the grand Russian army rendered his presence necessary. In spite of two armies on his flanks and one in his front, he arrived without any disaster at Lignitz, near which general Laudohn, after being forced to raise the siege of Breslau by prince Henry, was posted. His intention was to prevent the junction of the Austrians and Russians, and to attack some of their armies, before they could be reinforced. In spite of all his stratagems, the armies of Daun, Laudohn and Lacy, joined. It was in vain that he attempted, for some days, to detach one body from the rest, and to attack it at a disadvantage. He was always disappointed by the skill of the generals, or the nature of the ground. At last Daun resolved to attack him by night, as at Hohkirchen. For this purpose, Laudohn with one wing was dispatched to fall upon the king's rear, while Daun attacked him in the front. This sagacious monarch comprehended their design, He therefore abandoned his camp, and posted his army very advantageously on the road, through which Laudohn was to pass. One wing was drawn up on an impregnable eminence to overawe Daun, if he should attempt to advance: the other received Laudohn so warmly that he was obliged to repass the
Katsbach

Katsbach with the loss of ten thousand men. He did not venture to continue the pursuit, lest Daun should have it in his power to be severely revenged on his right.

The fame of this victory, intimidated count Czernichew so much that he repassed the Oder with his Russians. Thus one great end of his march was obtained. Yet still the enemies were so greatly superior in numbers, that he had every thing to fear.

Soon after he joined prince Henry, and, thus reinforced, drove the enemies out of Silesia with the loss of some battalions of Croats. These operations necessarily drew him into the southern parts of that dutchy. Hulsen, though he had gained some advantages over the imperial army in Saxony, was, upon the approach of all their combined force, obliged to retire to Berlin, which, however, he was not able to defend. Detachments of Austrians, Russians, Imperialists, and Saxons, amounting to forty thousand men, came before it; and he was forced to leave it to make the best terms it could with the enemies. Having entered the town, they demanded the immediate payment of eight hundred thousand guilders, and exacted a contribution of one million nine hundred thousand crowns. Hearing that the king was marching to the assistance of his capital, they destroyed the magazines, arsenals and founderies, and then retired out of Brandenburg, with immense quantities of military stores, cannons and arms. In their retreat, they laid waste the country, carried off horses and cattle, and committed great irregularities.

When general Hulsen left Saxony, there was no Prussian army in that quarter, so that the imperialists became masters of the whole, and seized the grand magazine of the Prussians in Wittemberg. Stainville, with a detachment from Broglio's army, laid the dutchy of Halberstadt under contribution. The Russians laid siege to Colberg, the Swedes pressed forward in western Pomerania, and Laudohn laid siege to
Cösel,

Cosel, when the king, watched by Daun, with a superior army, marched into Saxony. Daun posted his troops, amounting to more than eighty thousand men, in a very advantageous situation near Torgau, where he strengthened every pass, as if he commanded a weak army in a weak situation. The king had scarcely fifty thousand men; yet he resolved to dislodge the enemies or perish. He caused this resolution to be communicated to his forces. They answered that they were ready to share his fate. Animated by this declaration, he began his march. But at the same time that he was meditating an attempt as daring as could be dictated by despair, he made his dispositions with as much skill and care as could be suggested by the most cautious prudence. He was himself to make the grand attack in front, while Ziethen was to advance on the right, and Hulsen to charge on the left, when he found the rest of the Prussians engaged; his army being so disposed as to close in the enemies, and take them in rear with his right or left. The Austrians, who had two hundred pieces of cannon in front, received the shock of the Prussian infantry with great firmness. Three times the king led them to the charge; three times were they repulsed. The Prussian cavalry at last carried the entrenchments; but fresh reinforcements compelled them to fall back. Ziethen had by this time disordered the rear of the enemies, and mastered some eminences which commanded their whole camp. Encouraged by this success the foot made another effort, and opened a passage for the cavalry, which poured in with irresistible impetuosity upon the Austrians, and threw several bodies of them into irreparable disorder. It was late in the night, which was extremely dark: yet still they fired upon each other, without being able to distinguish friend or foe. Daun did every thing to preserve the ground and his high character. But he was obliged to yield to the superior fortune of his antagonist. He received a dangerous wound on the thigh, and was carried

carried off the field. Count Odonnel, on whom the command fell, ordered a retreat, which was conducted with great judgment and little loss, the darkness of the night hindering the Prussians from improving their advantage. Eight or nine thousand prisoners, however, were taken, with a considerable train of artillery, and the Austrians were deprived of all Saxony, except Dresden. Soon after the Prussian general Werner obliged the Russians to raise the siege of Colberg, and drove the Swedes with considerable loss back to Stralsund. Laudohn abruptly abandoned the siege of Cosel. Thus the reputation of the Prussian arms was once more fully established, and the king's dominions were evacuated by his enemies. Upon the whole he was a gainer by the campaign: his situation was far preferable to what it was at the close of the preceding year.

While the king of Prussia was exerting these heroic efforts, prince Ferdinand was not idle. The British horse and foot under his command were raised to the number of twenty-five thousand men. Still he was vastly inferior to the French, who amounted to a hundred and thirty thousand. Broglie and Germain, who led them, sent out such large detachments beyond his flanks, in order to intercept the convoys from the heart of Hanover, that he was obliged to retire towards the Dymel, and to expose Hesse Cassel. Before this retreat was fully executed, the two bodies of the French united. The hereditary prince, who had no intelligence of this event, attacked, as he thought, the vanguard of the lesser army at Corbach; but finding his mistake he resolved to retire. This was extremely difficult in the middle of the day, before an enemy quite fresh, and pouring down every moment with artillery, horse and foot. He put himself at the head of a squadron of Bland's and Howard's dragoons, and stopp'd the career of the French cavalry. This vigorous and gallant effort enabled the allied battalions to make an undisturbed retreat. The loss

was inconsiderable, and he soon returned it five fold. A considerable body of French and Saxons, under Glanbitz, were moving towards Ziegenhagen, a place of importance in Hesse Cassel. He formed the resolution of cutting off this party. They had only time to form in their camp, when they were attacked and immediately broke. The horse were so disposed as to intercept a considerable part of them; the rest escaped from his infantry, fatigued by their march. With Elliot's light dragoons he overtook, and charged them five different times. Two parties, which were separated from the main body, he took prisoners. Of the enemies many were killed, and two thousand six hundred remained in his hands. Their camp baggage, and every thing was lost. No victory could be more complete.

After this action, prince Ferdinand, that he might the better cover Hesse Cassel, and the electorate, pitched his camp at Kalle: upon which, the chevalier de Mui, with thirty-five thousand men, crossed the Dymel, in order to cut off his communication with Westphalia. But Ferdinand, passing the river, and ordering the hereditary prince to wheel round and fall upon their flank and rear, obliged them, after a brisk attack, to retreat with the loss of three thousand men.

Notwithstanding this success, the French were still so greatly superior that he could not force them to retreat. On the contrary, they became masters of Hesse Cassel, Munden and Gottingen. Yet he continued in his post, knowing well that, till he was dislodged, they could make no farther progress. Both armies endeavoured, with various success, to cut off one another's communication with the countries, which afforded them subsistence, and the campaign from fighting dwindled to marauding. Indeed, the expedition of the hereditary prince on the Lower Rhine, does not fall under that censure; it was full of action and spirit. This young hero was dispatched by

by prince Ferdinand into these parts, in order to take Wesel and Clèves, and prevent the French from advancing with an army, which they proposed to form, to the conquest of the rest of Hanover, while he was obliged to watch the grand army under Broglie. Though he did not succeed in forcing the enemies posts at Camper, nor in the siege of Wesel, he frustrated any designs, which they might have formed in that quarter; and the armies, without performing any more actions of éclat, went into winter-quarters, the French keeping possession of Hesse, and the whole country to the eastward of the Weser.

During the whole course of this year, the British navy had no enemy to encounter. So low was the French marine reduced. Thurot, indeed, commanded three frigates, the remainder of the armament destined for the invasion. He landed in Ireland, and took Carrickfergus and Belfast; but, in returning to France with his booty, he was engaged by captain Elliot, with an inferior force. He fought with great gallantry, but was killed: upon which his three ships struck. Thus was the only attempt, which the French made upon our coast, severely revenged.

In America, Levi having collected twelve thousand men, endeavoured to recover Quebec, before the British fleet could come to its assistance. General Murray, though the enemies were four times as numerous as his troops, marched out of the city with great gallantry, but little prudence, to engage them. He was worsted; but the efforts which he made for the defence of the city made amends for his error. Lord Colville soon after arrived with a fleet, and made the enemies retire with precipitation. Upon the approach of Amherst, with his forces from the lakes, all Canada submitted, and the French regulars were made prisoners.

Though the body of troops employed by England in the East-Indies was inconsiderable in number, it was distinguished for its glorious exploits: we have

only delayed the narrative that they might appear to more advantage in a connected series. In 1759 a strong squadron under M. Apche arrived in the bay of Bengal. General Lally, an officer of reputation, and of higher rank than such as were usually sent on that service, commanded a body of more than two thousand Europeans, a mighty army, where the very name of European is so formidable. Here France seemed to think that a vigorous and sudden exertion of her strength might balance her losses in other parts of the world. At first her success was proportioned to her forces: the city and fort of St. David were taken, the garrison being obliged to capitulate for want of fresh water. This gleam of success, however, was but momentary: the ill star of France, which looked no where on her affairs with a benign aspect, began here to discover its influence. D'Apche was worsted in two naval engagements, and prevented from co-operating with the land forces during the remainder of the campaign. Had all the officers under Pocock, the English admiral, done their duty, and seconded his spirit and conduct, there is reason to believe that her navy would have been as effectually ruined in India as in Europe.

It was not only the check, which the fleet had received, that retarded the operations of Lally: an extreme want of money was added. Yet still it was necessary that he should act. The king of Tanjour, an Indian prince, on whom the French had some obsolete, or rather unjust claims, seemed to be the only resource left. To him he applied for a large sum of money, which was resolutely denied. He carried the war therefore into his territories, and laying siege to his capital, effected in three days a practicable breach. But the skill of some English gunners, the want of provisions and ammunition, and the disorders which prevailed in his army, forced him to retire without the money, and with the mortification of having been baffled in his attempt upon an Indian fortification.

This disgraceful repulse was but a bad omen to an enterprize against a city that had regular works and European defenders. He was not, however, abandoned by his courage and perseverance. Having seized, (as it was thought, with her own consent) a Dutch ship, which contained a large treasure, he sat down before Madrafs, and opened his trenches with great spirit. But, though his forces were greater, and his efforts more obstinate, fortune proved here as unfavourable as at Tanjour. Colonel Draper and major Brereton defended the place with equal skill and bravery. Governor Pigot seconded their endeavours by supplies of ammunition and provision, in a manner, which does honour to his character. While the enemies were annoyed in front by the batteries and by vigorous sallies, in the rear they were harassed by detachments, which cut off their convoys, and obliged them to weaken their army in the trenches. In a word, so many obstacles were thrown in their way, that they were under a necessity of raising the siege, after two months open trenches, and to renounce for ever all those mighty expectations, which they had conceived, from the superiority of their forces in India.

As their power declined, ours rose upon its ruins, and extended itself over the whole of the great peninsula without the Ganges. We went on from success to success, and took, with very little loss, the great and opulent city of Surat, from the princes of the country; so that our arms were as triumphant on the coast of Malabar, as on that of Coromandel. Soon after the siege of Madrafs was raised, the English under major Brereton took the field, and seized the town and fort of Conjiveram. The city of Masulipatam was about the same time stormed, by the same officer. Except Pondicherry and a few inconsiderable places, which still remained to the French, the whole extent of this populous and manufacturing country, came by these strokes under subjection to the English company, who now enjoyed almost an uninterrupted

traffic from Cape Comorin, as far as the province of Bengal, reduced by the heroic Clive. Animated by these advantages, Brereton, with a body of twelve hundred men, Europeans and Seapoys, advanced and endeavoured to dislodge an army of French and confederate Indians from a post, which they occupied under an Indian fort. But, notwithstanding all his efforts to succeed in this advantageous design, he was obliged to retire with considerable loss. Lally, revived by this glimpse of returning fortune, set his troops in motion, and threatened the siege of Trichenopoly. His hopes were soon blasted in the bud. Colonel Coote, at the head of the greatest force which he could collect on the coast, invested Wandewash, took it in three days, and made the garrison prisoners of war. He marched on to Carongoly with equal rapidity, and obliged the French to evacuate it. Lally in the mean while, knowing the importance of Wandewash, called in large detachments from every side, and exerted his utmost efforts for its recovery. Coote arrived to its assistance at a very critical juncture. A practicable breach was effected. His army amounted only to seventeen hundred Europeans and three thousand blacks; Lally's did not fall short of two thousand two hundred regulars, and nine thousand Seapoys. Yet Coote did not hesitate to engage. The battle was long and obstinate; a circumstance which rendered the rout of the enemies total. They abandoned their camp, their cannon, and all the implements of the siege. A thousand of them remained on the field of battle. Lally fled with his broken troops in despair to Pondicherry. On our side seventy blacks were wounded or slain, two hundred Europeans shared the same fate, a clear proof, who gained the victory! Since the battle of Plassy, followed by the revolution in Bengal, our troops had been engaged in no action of such considerable consequence. The whole province of Arcot was the prize for which the combatants contended. The

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spirit and conduct of Coote, were not more distinguished in gaining this victory, than in improving it. Chittiput was taken in a few days, and the army was immediately led against Arcot, the capital of these parts, which surrendered at discretion, three hundred Europeans, who garrisoned it, being made prisoners of war.

Pocock was not less active in his department; though greatly inferior in number of ships, and still more so in men and guns, he engaged D'Aché a third time with his usual intrepidity and success; and obliged him, after a severe and bloody conflict, to take shelter under the walls of Pondicherry. Having soon repaired the damage, which his squadron had sustained, he sailed in quest of the enemies, and braved them as they lay under the cannon of the city. This advantage had not been long gained, when admiral Cornish, with a fresh squadron, joined Pocock, and gave us in those seas, as decided a superiority in strength, as we had before in conduct and courage.

Karikal, in a short time, submitted to the joint efforts of the sea and land forces, under Cornish and Monckton; and nothing was left to France in India, but Pondicherry, in which her troops were blockaded. The great extent of this well-fortified city, rendered a regular siege impracticable to the small body of men, by whom it was invested. Indeed, had they been more numerous, the periodical rains, which were then approaching, would have forced them to this measure. Batteries, however, were erected at a distance, not to ruin the walls, but to harass the garrison, by an increase of duty. Towards the return of settled weather, the besiegers drew nearer to the walls, and began, not only to play upon the works, but also to enfilade the streets. But the city suffered more from want of provisions, than from the arms of the assailants, whose batteries and approaches were frequently ruined by storms. The besieged looked with the most eager longing for their fleet, which had stole

away to Mauritius, and had not been seen for seven months in those seas. They looked in vain; they were left alone to struggle with the extremity of famine. Their principal food consisted now of camels, elephants, dogs and cats; and, to heighten their misery, and distress, they were reduced to a very scanty allowance, even of this wretched sustenance. The flesh of a single dog was sold for two pounds sterling.

In the midst of this distress, one of those ruinous storms, which are so frequent in the Indian seas, having dispersed all our fleet, and destroyed several ships, revived their hopes, and gave them a prospect of a happy end to all their labours. But this was only a flash of lightening, in a gloomy night, which involved them in still deeper darkness. Admiral Stevens, in a few days, resumed his station before the town, with eleven ships of the line. Notwithstanding the pressing letters of Lally to the French agents, at the neutral settlements, no succours had arrived, and Stevens gave public assurances, that he would make prize of any vessel that should presume to attempt the relief of the besieged. This mortifying disappointment could not conquer the pride of Lally: he made no proposals of delivering up the city. At the very last, when a breach was effected, and provisions for one day only remained, he sent, instead of articles of capitulation, a letter full of invectives against the English, and rather suffered our troops to take possession of the place, than formally surrendered it.

The very day, on which this capital of the French power in India submitted to the British arms, was distinguished by an event, equally favourable to our cause. When the French were expelled from Bengal, by Clive and Watson, one Law, nephew to the famous projector, put himself at the head of a party of French fugitives, and retiring into the heart of the country, joined sometimes one, sometimes another of the native princes, as it suited his interest. His reputation

putation was very high, when the Great Mogul happened to be deposed by the Mahrattas, who made an irruption into the provinces, which owned his authority. Sha Zaddah, one of his sons, assumed his title, but was opposed by many parts of the empire. Law entered into his service, and reduced several provinces. These successes gave him such weight in the cabinet of the prince, that he persuaded him to turn his arms against Bengal. The conquest of this rich and extensive country, would have, in all probability, established him on the throne. But here his evil genius led him against that power, from which alone he had much to fear. Major Carnac, with five hundred Europeans, and twenty thousand Seapoys, defeated and took him at the head of eighty thousand men.

Though the Subah Jaffier Ali Cawn, was thus freed from foreign enemies, he was under continual apprehensions of domestic foes. The kindred of the deposed prince, who looked upon him with an evil eye, as a person that had robbed them of their just rights, filled his mind with no ill-grounded suspicions. Nor was he less jealous of the grandees of his court: he knew the envy, with which they beheld his new dignity; he knew their treacherous and bloody dispositions. He anticipated their schemes, and according to the barbarous policy of his country, murdered those whom he thought most obnoxious. Notwithstanding all these inhuman precautions, he found himself still insecure: the English were absolute masters of his fate; he viewed them with fear and terror, as being capable of taking away what they had given. His treasury had been exhausted, and his revenues mortgaged for the payment of the large sums, which he had promised them, as indemnifications and rewards. The privileges, which, to the detriment of his own subjects and customs, he had been obliged to grant them in trade, cut off the few resources, which were left, and reduced him to great necessities. His necessities forced him upon odious methods of extorting

torting money, which entirely alienated the affections of the people. Yet still his coffers remained empty: the greatest part of the extorted money, was embezzled by the collectors. The troops, upon whom every thing depended, were ill disciplined, because ill paid. The evil engendered every day on itself: the insufficiency of the revenues begot mutiny among the troops, and the mutiny of the troops begot rebellion. The principal governors, or rajas, despising his authority, affected independence, and refused the accustomed tribute. Sunk thus into want and impotence, he commenced various negotiations with the Indian powers, and even with the Dutch, in order to secure him from the servants of the company. He infringed several of the ruinous privileges, which he had granted, and thus detached from his interest these imperious lords of his fortune. To complete his disasters, a son, who alone of all his children, was arrived at maturity, and proved the support of his tottering age and power, was struck dead by lightning.

No advantage could be reasonably expected from the deposition of this weak prince; no successor could be more at their command, both from his want of natural support, and personal capacity. Yet the majority of the council, alledging, that his misconduct would not only ruin his own affairs, but those of the company, resolved to depose him, and to substitute his son-in-law, Cossim Alli Cawn, in his place. The crimes, with which they charged him, were evidently not of their cognisance: the injuries, which they pretended to have received, seemed slight and trivial; and the existence of any conspiracy against the English, was not well established. Provoked, however, at opposition from one, whom they considered as their own creature, and hoping, no doubt, to advance their fortunes, like their predecessors, by a revolution, they surrounded his palace at Muxadavat, before he had any notice of their intentions. He was so fully convinced, that avarice was the principal motive to this attempt

attempt that he desired to know what sum of money Coffin had stipulated to give for the Subahship; and he would give half as much more to be continued in it. But he was obliged to resign. Knowing the cruel nature of Coffin, he retired to Calcutta, where he lived as a private gentleman, enjoying probably, more happiness in his retreat, than in all the grandeur, which he had held four years with so many apprehensions, and endeavoured in vain, to secure with so many murders.

Thus have we traced the progress of this consuming war, and related the last exploits, which were achieved under the auspices of George the Second, who departed this life about the latter end of October, and left the crown to his grandson, George the Third, our present sovereign.

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maintain the rights and privileges of the people, not before their representatives, but before the nobles and his own servants.

His court was his majesty's school, as known, that all ranks of men rich with each other in reflecting their passions, as they were in a state of confusion, before it was possible for them to be acquainted with the passions of their new sovereign, who had hitherto led a retired life without it.

HISTORY

OF THE REIGN OF

GEORGE THE THIRD.

ALTHOUGH the late king was remarkable neither for very shining talents, nor for his partiality to these realms, yet the series of success, which distinguished the close of his reign, had procured him some popularity. The glory of the minister reflected its light upon the sovereign; and it was forgot that he had been forced into office in a great measure against the royal consent. But his popularity was nothing compared to that of his successor, who was, according to the act of settlement, immediately announced to the public as king of Great Britain, by order of the privy-council, in whose hands this authority is by ancient custom lodged. Indeed our princes, who have in general been no enemies to arbitrary power, have discovered a partiality for this method of proceeding, as it seems more favourable to their right by inheritance than the parliamentary mode, which to them favours too much of election. And this seems to be the reason, why the members of the lower house are not summoned to appear at a coronation. The people are kept out of sight as much as possible, and the slavish, barbarous ceremonies of the feudal system are religiously observed. The king swears to maintain

maintain the rights and privileges of the people, not before their representatives, but before the nobles and his own servants !

No sooner was his majesty's accession known, than all ranks of men vied with each other in testifying their joy and satisfaction. They poured in addresses of congratulation, before it was possible for them to be acquainted with the qualities of their new sovereign, who had hitherto led a retired life, without interfering in state affairs, or mingling with the people. He was only known by the reports of courtiers, who of all men are the least to be depended upon in their delineation of a prince's character. Having never taken his seat in the house of peers, where the heir apparent should learn the arts of government, and practise the duties of a subject, before he commences sovereign, the knowledge of his talents was left to conjecture, and the future proofs of them, which he might give in the exercise of his authority. Not that flatterers were wanting, or even historians, who in their fulsome panegyrics, anticipated the public hopes, and loaded him with every virtue. Instead of copying their example, and indulging the usual prejudices, which attach men to greatness, we shall adhere to the exact line of truth, and leave his character to be collected from the general tenor of his conduct. We must not, however, neglect remarking that weak minds, who are ever fond of novelty, were prepossessed in his favour from that principle, while men of experience and observation rejoiced to see the throne at length filled by a prince, who was born and bred among us, and was therefore in a great measure free from that predilection for Germany, which had in the two preceding reigns, proved so pernicious to the interests of Britain. Much was expected from his acquaintance with our laws and constitution, much from his knowledge of our manners and language. The prosperous issue of the war had put the people into a good humour, that was heightened by the near

pect of the total extinction of the exiled family, which was fallen into just and universal contempt. No civil commotions were therefore dreaded. The minister had very wisely engaged in our armies, those Highlanders, whose love of fighting, and want of employment, had caused the last rebellion. It was hoped, that the nation would acquire double strength from this unanimity, and that, in this reign, it would have time and leisure to attend fully to the extension of its trade and commerce, to the regulation of its finances, and the reduction of its enormous debts. How far these expectations have been answered, it is now our business to shew.

Having declared his resolution, to prosecute the war in concert with his allies, till it could be terminated by an honourable and lasting peace, he took an oath relating to the security of the church of Scotland, and caused an instrument of it to be lodged among the registers of that kingdom. Two proclamations were issued out, one requiring all persons in authority, to proceed in the execution of their respective offices; another, enjoining the practice of piety and virtue, and the punishment of immorality and prophaneness. As a proof of the sincerity, and singleness of heart, with which the latter declaration was made, the list of privy-counsellors was graced with the name of John earl of Bute, a nobleman equally remarkable for his firm belief of the scriptures, and for the orthodoxy of his faith.

The parliament being assembled, the king harangued both houses in a manner, which gave general satisfaction. After he had retired, and the members had taken the oaths, prescribed by law upon the accession of a new sovereign, they proceeded to business, and discovered great unanimity, in echoing back every paragraph of the king's speech. Instead of the civil list revenues, which had been settled on the two preceding sovereigns, a clear income of eight hundred thousand pounds a year, was, at his own instance, granted to the king for the maintenance of his household,

hold, and the support of his royal dignity. The frauds of the collectors had rendered this a prudent bargain. The supplies amounted in all to the enormous sum of nineteen millions, six hundred and sixteen thousand, one hundred and nineteen pounds. The ways and means, were a land-tax at four shillings in the pound, the duties on malt, wines, vinegar, cyder, and other commodities, exchequer-bills to be charged on the next aids, granted by parliament for paying off the debts of the navy, money remaining in the exchequer, money issued out of the sinking fund, a vote of credit, and a loan of twelve millions, which the public obtained on the credit of an additional duty on beer and ale; the sinking fund being a collateral security. All these grants were made with the greatest unanimity, and with such dispatch, that one cannot help concluding, that the public accounts are kept with surprising exactness, or that the national representatives were very negligent in examining the state of the estimates, which were submitted to their inspection.

The mutiny-bill was extended to all the settlements of the East-India company, in which they might hereafter be empowered to hold courts of judicature. The act for importing salted beef, pork, and butter, from Ireland, was continued for a limited time, and the king was enabled to become governor of the South-Sea company; no one branch of the legislature being allowed, without the consent of the other two, to undertake the superintendence of affairs, in which the whole nation is interested. Were it not for this precaution, the sovereign might become the dictator, and monopolizer of our great companies: an event, which would prove no less injurious to our trade, than dangerous to our liberty. In favour of debtors an act was passed, which contained a compulsive cause, operating as a perpetual indulgence to such unfortunate captives. By it, any creditor might compel a prisoner, charged in execution, to produce a schedule of his estate at the quarter sessions. On sub-

scribing

scribing it, he was discharged ; but, if he refused this satisfaction, or concealed to the value of twenty pounds, he suffered as a felon. Many in all stations of life seized this opportunity of disencumbering themselves of their debts. They prevailed on some friend or relation first to throw them into prison, and then to act the part of compelling creditor : an artifice, by which the prisons were crowded, and the common council of London, was so alarmed, that they instructed their representatives, in the new parliament, to exert themselves in procuring the repeal of this clause, as a manifest injury to a great number of honest families, which were ruined by this new species of knavery. No act of grace, however, distinguished this period ; so that all the fond hopes of the crown-prisoners, and exiles, who expected much from the character, which was given of the monarch, vanished in smoke.

Though the commissions of the judges continued in force, during their good behaviour, yet, like all other civil officers holding of the crown, they were obliged to renew their commissions, at the accession of every new sovereign : a circumstance, which plainly indicated, that their power expired at the demise of the crown. At the instance of the sovereign, who was willing to lay some foundation for popularity, an act was passed, by which their commissions and salaries were secured from any accidents, but their own misbehaviour or death. Had the quantity of their appointments been fixed, and not left to the caprice of the ministry, there would have been more ground for applauding this as a patriotic step. Their independency would have been perfectly established, nor could they, like the lord chamberlain, or master of the horse, be considered as servants of the crown, but of the public. But this parliament was too courtly to go a single step beyond the orders received from above, or to pretend to rectify

any defect, in a proposal sanctified by the royal name. The consequence is, that our present judges discover no more independence than those of former periods,

Arthur Onslow, who had, with universal satisfaction, officiated as speaker to five successive parliaments, signified his intention to retire. The house, who saw his design, shewed as little virtue in disappointing his avarice, as he did in refusing their bounty. Though he had done nothing but his duty, though he had been amply paid for his labour, though he was in affluent circumstances, and the situation of his country extremely embarrassed, he was loaded with a pension of three thousand pounds a year, extending also to his son, with whose merit, if he had any, they were but little acquainted. Nor was this the only proof, which they gave of their prodigality, in bestowing favours. Several other men, who had deserved well of their country, were rewarded with the like extravagance. Feeling no disinterested principles in their own breasts, they concluded, that the most exalted virtue must be impelled to glorious actions, by large pecuniary grants, never considering, that this is the most effectual method to extinguish all patriotism; as for the love of glory, it substitutes the love of self, the most debasing passion of the human mind.

The seventh session, the term appointed by law for the expiration of every parliament, being elapsed, the present was dissolved, and writs were issued out from the chancery, for the election of new members. It does not appear, that any money was taken out of the treasury, in order to procure a majority to the court. The popularity of the king and the minister, rendered such a step, not only unnecessary, but imprudent. We do not, however, pretend to say, that his majesty's conduct on the occasion, was rather owing to this consideration, than to the spirit of patriotism. That point will be best explained by the sequel of our narrative.

No considerable alteration was made in the ministry, except the displacing of Holderneffe, who was succeeded as secretary of state, by the earl of Bute, a nobleman, that had found means to insinuate himself into the favour of the king, and now took advantage of that circumstance, to collect the fruits arising from the renewal of the commissions, passing through the secretary's office. Mr. Legge, who was esteemed an accomplished financier, was deprived of the chancellorship of the exchequer, through the intrigues of the same personage, who owed him a grudge, because he had once refused to give up his seat in parliament, to a gentleman of his nomination. Men of observation and sagacity, drew no very favourable presages from these examples of his disinterestedness and forgiveness. Though lord Talbot was placed at the head of the royal kitchen, and great parade of œconomy was made, by reducing many of the king's servants to board wages, yet the public suspected, that this reform, which, however laudable to a certain degree, seemed, as it was managed, mean and fordid, would not prove any great saving to the civil list. When twelve additional lords of the bed-chamber were named, when more new peers were made in one month, than had been created in the whole course of the preceding reign, they saw their suspicions justified, and understood, that what was now withheld from the poor and indigent parasites, who used to frequent the royal tables, was to be swallowed up in the gulph of placemen and pensioners, and in acquiring undue influence in the national councils.

The king, with the consent of the privy-council, demanded in marriage Charlotte Sophia of Mecklenburg Strelitz, one of the petty principalities of the empire. She was conveyed to England in great pomp, and the nuptials were celebrated on the very night of her arrival. Some time after their majesties were crowned in Westminster-Abbey, the king swear-

ing to preserve the constitution in church and state inviolate, and to make the good of his subjects the only rule of his administration.

(1761) In the mean while, though propositions of peace were agitated between England and France, the operations of war were carried on with vigour. The commanders of our cruisers, displayed equal vigilance and gallantry, in taking and destroying the enemies ships. In the West-Indies, Dominique, one of the French sugar islands, was taken with little difficulty by a body of troops, under the command of lord Rollo. In America, the Cherokees, who began to be turbulent, were chastised by colonel Grant; and Sir William Johnson, by his assiduity and address, removed the apprehensions, which began to agitate the rest of the Indians. No considerable armament was this year fitted out for the conquest of the West-India islands, which remained still in the hands of the French. The epochas, fixed in the negotiation of peace, as the basis of accommodation, seemed too near to allow such distant expeditions to be of any utility. The minister seems to have thought the French too sincere in their pacific inclinations. That our troops, however, might not continue unemployed, and that there might be the greater choice of places, to be given in exchange at the conclusion of the war, a body of regulars landed, with great difficulty and considerable loss, in the island of Belleisle, which lies off the coast of Brittany, and was extremely strong, both by nature and art, but their intrepidity and perseverance surmounted every obstacle, and obliged the governor, after an obstinate resistance, to capitulate.

The winter-quarters of the allied army in Germany, were very indifferent, both from the nature of the country and the manner in which they were streightened. Prince Ferdinand, sensible that his troops could bear the inclemency of the winter better than the French, and that the hardships of the field could

could scarcely be more intolerable than those which they now endured, set them in motion about the beginning of February, and attacked the enemies posts on all hands, with such vigour, that they retreated with precipitation. Five entire battalions of Saxons were taken, and a great number was slain. Vast quantities of provision and forage were seized, and more was destroyed by the flying French. The design of the general was to reduce Hesse Cassel, and other places of strength, before Broglie could be reinforced from the Lower Rhine. He laid siege to them; but the rigour of the season, and the numerous troops, with which they were garrisoned, prevented him from making a rapid progress. At length, all the expected detachments being arrived, Broglie obliged him to retire with loss. Nine battalions being attacked in a defile were broke, and two thousand were killed, or wounded. The expedition, however, was not without its use: it hindered the enemies from beginning the campaign at an early period.

At length, towards the latter end of June, both the French armies were in motion. Their vast superiority of numbers, inspired them with hopes of being able to make the allies retreat, as they had done in the beginning of the year. Broglie passed the Dymel, and, surprising general Sporken, took two hundred waggons, and a considerable number of men. Prince Ferdinand repassed the Lippe, and sent out detachments, which annoyed the enemies so much, by destroying and cutting off their convoys, that they resolved to effect a junction of their two armies, and to give him battle. But he posted his army so advantageously at Kirch-Denckern, and his dispositions were so well improved by the skill of his generals, and the bravery of his troops, that after two vigorous attacks, on two successive days, they were repulsed with the loss of five thousand men.

After this action, Broglie and Soubise separated, and acted, for the remainder of the campaign, upon

different plans. The prince's inferiority of numbers, did not allow him to form two distinct armies. He fixed his head-quarters at Buhne, near Hamelen; whence he sent out detachments, to prevent the progress of the enemies on his flanks. An attempt, which was made to reduce Wolfenbittel and Brunswick, was frustrated by the hereditary prince, who severely chastised the invaders of his dominions. Soubize's army met with no better success in his attempt upon Bremen; the garrison and the inhabitants obliged the detachment, which appeared before it, to retire with precipitation. Broglio remained inactive at Eimbeck, till about the beginning of November, prince Ferdinand turned his flank, and obliged him to take up his winter-quarters in the landgraviate of Hesse. Indeed, the operations of this campaign, consisted rather of pillaging than fighting, and seemed much better calculated for distressing the unfortunate inhabitants of the scene of action, than for procuring any durable and solid advantages to the contending powers. Whatever attempts were made by prince Ferdinand, to bring on a decisive action, were frustrated by Broglio, who appeared sensible of the superior firmness of the allied army, in a general engagement, and aimed more at booty than laurels.

During the whole course of this year, the war languished in Saxony and Silesia. The king of Prussia, who in all the preceding campaigns, had given so many shining proofs of his prowess and activity, did not this year strike a single blow. Prince Henry lay entrenched, with one army in Saxony, while another, under the king himself, watched the motions of the Austrians and Russians in Silesia. When the latter advanced, and laid siege to Colberg and Breslau, he dispatched general Platen, with a considerable body of troops into Poland, in order to destroy their magazines, and to relieve Colberg. In the former part of this service, he succeeded, and obliged the

the Russians to separate from the Austrians, and to return upon their steps, that the remainder of their provisions might not share the same fate.

While the king pleased himself with the thoughts of having, by this stratagem, removed one of his most formidable enemies, Laudohn assaulted Schweidnitz, in a very dark night, and by break of day, found himself master of the town and garrison—Three thousand men were made prisoners, a vast quantity of artillery, and a large magazine of meal were taken. This unexpected and fatal blow, was the more sensibly felt by the king, that it disabled him from stirring out of Silesia to the relief of Colberg, or any other part of his dominions, for fear of exposing Breslau, and the rest of the dutchy, to inevitable conquest. At first he suspected treachery; but recovering his temper, he sent the following lines to general Zastrow. “We may now say, what Francis the first of France said to his mother, “after the battle of Pavia,” “We have lost all except our honour.” “As I cannot comprehend what has happened to you, I shall suspend my judgment. The affair is very extraordinary.”

Schweidnitz was suddenly lost: Colberg made a long and noble defence. Many bold and vigorous attempts were made to furnish it with provisions; but the prodigious superiority of the Russians rendered them all abortive. After a siege of six months, by land and by water, it surrendered to the enemies, who were thus enabled to winter in Pomerania, to acquire a footing in the empire, and to threaten early and vigorous measures in the spring. Their armies could now be supplied with all necessaries by sea, and Stetin alone obstructed their march into the heart of Brandenburg.

Soon after the loss of Schweidnitz, the king was obliged to approach nearer Breslau, where, about the beginning of December, he cantoned his army; while Laudohn took up his winter quarters, in the neigh-

bourhood of his new conquest. A conspiracy, which was formed for betraying him into the hands of the Austrians, proved abortive; and an attempt, which Daun made upon prince Henry's camp in Saxony, was equally unsuccessful.

Having thus related the most material events of the field, we must now unfold the transactions of the cabinet. Some overtures of peace were made towards the close of the year seventeen hundred and fifty-nine; but the situation of affairs, at that juncture, rendered most of the belligerent powers extremely lukewarm in their pacific intentions. As an accommodation could not be effected on the footing of equality, or necessity, the only two circumstances, in which it is practicable, all hopes of terminating the war, in an amicable manner, soon vanished; and it was not till the beginning of the present year, that the courts of Petersburg, Vienna, Sweden and Poland, urged by the importunities of France, agreed jointly and severally to resume the negotiation, which had been at that period so abruptly laid aside. Our ambitious antagonist, exhausted by enormous expences, which served only to heap ruin and disgrace upon her head, seemed at last to relent, and to desire peace in earnest. That there might be the less doubt of her sincerity, the Swedes were given to understand, that the ruinous situation of her finances, would no longer allow her to adhere to the strict letter of her engagements, nor to furnish the stipulated subsidies. The other members of the grand alliance, could not, with decency or safety, refuse their concurrence, when they found the chief, neither able nor willing to conceal her necessities. Augsbourg was therefore chosen, as the theatre of negotiation, and plenipotentiaries were nominated.

That the pretensions of the parties concerned, which in themselves were sufficiently perplexed, might not be unnecessarily rendered more intricate, it was unanimously agreed, that none but principals and
their

their allies should be admitted to the congress. And as the war was partly German, partly American, a farther separation of interests was requisite, if they would come to a speedy decision. For this purpose, France proposed, as a proof of her pacific disposition, that the American quarrel should be adjusted between the courts of London and Versailles, previously to the discussion of the German interests at Augsbourg. Accordingly, Hans Stanley crossed the seas, with a commission to negotiate for England, while Buffy performed the same office for France.

Notwithstanding all these prudent measures, it was visible, that the establishment of peace would prove a very arduous task, both sides having many and great difficulties to surmount. The unparalleled success of the British arms, had elated the people to such a degree, that they thought it unreasonable, to make any concessions to a nation, whose ambition and violence they had always found to correspond to its power. The minister therefore, that he might not be obliged in making exchanges of conquered places, to sacrifice any of the objects, on which the people had set their hearts, planned the expeditions against the winter quarters of Broglio in Hesse, and against the island of Belleisle.

On the other hand, France having suffered every disaster in the war, saw that, if she would make the least pretensions to peace, she must accept of very mortifying conditions. The Landgraviate of Hesse, the county of Hanau, and the town of Gottingen were all the conquests, which she had to balance the extensive and valuable acquisitions made by England. A comparative view of these objects, did not allow her to rest her hopes so entirely on peace, as not to look out for a new resource for the prosecution of the war. The Spaniards, she knew, could not, without the most serious apprehensions, see the principal branch of the house of Bourbon, humbled and stript of its American territories; because that event would in a manner leave her invaluable colonies at the mercy of Britain, and annihilate

nihilate in those seas the only power, that could afford them any assistance, or keep the balance even. She had not indeed at this time entirely succeeded in her design: but she hoped that every sacrifice, which she should be obliged to make, would inflame the jealousy of Spain. Thus every motion, which she made towards peace, was in effect a new step to rekindle the war. At London she talked only of moderation and humanity, while at Madrid she breathed nothing but vengeance and bloodshed.

Though there were even at this time strong reasons for suspecting these instances of Gallick faith, yet was it not imagined that Spain could be persuaded to hazard the immediate loss of her colonies and treasure in support of France's declining cause. What rendered this opinion the more probable was, that the French ministry proposed, as a plausible foundation for a treaty, "that certain epochas should be fixed, "at which the two crowns were to remain possessed "of their respective conquests."

The English minister did not chuse to ascertain any determinate epochas, till France agreed that, whatever the fate of the negotiation at Augsbourg might prove, all the preliminaries adjusted between the two crowns should be finally obligatory and conclusive, and should be signed and ratified before the first of August. He insisted on these two conditions with the more rigour, because he saw that without the former, the most promising appearances might, after much pains and trouble, vanish all of a sudden, and that without the latter, the blow, which in case of a rupture with Spain he meditated against its flota, would be frustrated by the lateness of the season. The French ministers, for very obvious reasons, complained of the one as contrary to the very first basis of the negotiation, and of the other as too short a space of time for the discussion and final adjustment of difficult and momentous objects, which extended to the four quarters of the globe. Having, however, received the consent of the House of Austria, upon

upon condition that nothing should be stipulated to its prejudice, she acceded verbally, though not very explicitly, to the terms proposed; and waving the punctilio of honour, transmitted the following propositions to the British court.

I. France shall cede and guaranty to England all Canada, upon condition that the free exercise of the Roman catholick religion be permitted, and liberty be granted to the colonists to transport themselves and their effects, wherever they please. In compensation for this cession France shall be entitled, according to the treaty of Utrecht to fish on the banks of Newfoundland, and shall have the island of Cape Breton, in order to carry on the fishery with advantage.

II. Minorca shall be exchanged for Guadaloupe and Mariegalante; Dominica and St. Vincent shall remain to the Caribbees, their original possessors: St. Lucia shall revert to France, and Tobago shall be confirmed to England.

III. Gottingen, Hesse and Hanau, shall be evacuated for the restitution of Belleisle, and of Goree, or the settlement of Senegal.

IV. The treaty between Godecheu and Saunders, shall serve as the basis of accommodation in Asia.

V. The armies in Germany shall observe an exact neutrality, and as in that case they can be of no service to the allies of the two contracting powers, it will be prudent to withdraw them; whenever therefore, his Britannick majesty recalls his national troops, the French king shall order home double that number of his forces.

VI. England shall give France a full equivalent for all the captures made before the declaration of war.

It is evident from the very first view of these heads that France no longer adhered to her first declaration of considering the actual state of the respective conquests as the basis of the negotiation. In America she demanded Cape Breton and a share of the Fishery, without proposing any compensation. The compensation,
which

which she offered for our conquests in the West Indies, was by no means adequate. They were so far superior in value to Minorca, that they greatly exceeded all our acquisitions in America; and all those, who consulted our commercial interest exclaimed against restoring them. In the third article a full equivalent was proposed, and in the fifth, nothing but what seemed fair and reasonable was asked. But the fourth and sixth were quite absurd and inadmissible, as the French were quite exterminated out of India, and the right of making conquests takes not place at the first declaration of war, but at the first commencement of hostilities. When a nation is unjustly attacked, she has a natural claim to instant retaliation. It would be as ridiculous to expect that she should wait for the formality of declaring war, before she began to do herself justice, as it would be to imagine that a man attacked by an assassin should in the streets proclaim his intentions of defending himself, before he drew his sword. And if a nation has a right of making conquests, she must have an equal right to retain and consider them as her own.

It appears therefore, from these exorbitant demands, that France was not very sincere in her first proposal, and that she aimed more at alarming Spain with every concession, which she made, than at terminating the calamities of Europe. When contrary to the first agreement, which excluded all neutral powers from the treaty. Bussy proposed, at the very moment that he delivered the foregoing articles to the British minister, that all the objects of dispute between England and Spain, should be finally settled, thro' the mediation of France, now humbled, and almost prostrate at his feet, he could no longer doubt her duplicity. After the Spanish minister had, upon requisition, avowed this step, as justified by the concurrence of his court, he saw clearly that the intrigues of France had succeeded, and that his success in the negotiation must now depend upon his own firmness and magnanimity. With a spirit and dignity peculiar to himself, and highly worthy

worthy of the minister of such a great and noble nation, he rejected the interposition of France with scorn, and prepared an answer to its propositions, in a style, which does honour to his character. As he had now little hopes of an accommodation, and as any concessions, which he might make, would probably stamp their impression on any future negotiation, relative to the same subject, he was extremely reserved in his advances towards a temperament.

He agreed to receive Canada, but with all its appurtenances, and without any limitations. He excluded the French from the river St. Laurence and Cape Breton, and allowed them the privilege of fishing on the banks of Newfoundland, only upon condition, that the fortifications of Dunkirk should be demolished. He agreed to the exchange of Guadeloupe and Mariegalante, and to the partition of the neutral islands, on the terms proposed. He absolutely refused to part with Senegal or Goree, or to restore Belleisle, but upon condition that all the French conquests in Germany should be, without exception, evacuated. The treaty between Saunders and Godacheau, was not admitted as a proper plan of pacification in Asia. The two companies were left to settle their affairs in that quarter. The German neutrality was rejected with disdain, as an attempt to tarnish the faith and honour of the nation; and the proposal of an indemnification for the captures, was treated with the contempt, which it deserved.

Though, ever after the officious and untimely interposition of Spain, all confidence and good humour were banished from the treaty; yet still papers passed backwards and forwards, till every thing seemed to be settled but the two last articles. About these they could never agree. France obstinately refused to evacuate the Prussian territories, which she held in the name of the Empress Queen; and England could hardly explain the mode or quantity of the assistance, which she proposed to give the king of Prussia. And indeed,

deed, this is not surprising, since they must have varied according to his necessities, if we would not lavish our treasures in vain, or to our eternal disgrace suffer our ally to be crushed. France was equally undetermined how she should assist Austria, and thought herself in honour bound to act with the same spirit. Both were positive in adhering to their first declaration on the last head. Stanley was therefore recalled, and Bussy soon followed his example. Some historians blame Pitt on this occasion, for discovering too strong an attachment to the interests of our allies, and for defending what they are pleased to call acts of piracy. But it must be confessed, that the souls of men, who would counsel the desertion of our allies, are as ill qualified for judging of the honour and dignity of a nation, as they are for deciding the rights of war and peace.

A proposal coming from a friend through the channel of an enemy, was so unprecedented, and bore such a partial and hostile aspect, that the dignity and safety of England demanded an immediate, full, and satisfactory explanation. The minister was of too resolute and decisive a temper to neglect so necessary a measure. The answer to his representations shewed plainly, that Spain, as a party, had been regularly apprized of every step towards a pacification; that her judgment was appealed to on every point, and that her authority was at last employed in order to intimidate Britain into the terms of France. Pitt seeing such a perfect union of affections, interests and councils between the two courts, thought the intentions of Spain no longer equivocal, and that a war with her was inevitable. Since she evaded a direct and categorical answer, when she was pressed to declare, whether she would join our enemies, he said, that we ought to take her evasions for an express declaration of war. If she temporised, and delayed hostilities, it was only to be the better prepared, and to give the more sure and effectual blow. Her reasons for being dilatory, were the very motives, which should impel us to immediate action.

action. To this prudent conduct, at the beginning of the war, we owed much of our success. Why should not the same policy be equally beneficial at this juncture? To carry on our operations with vigour, we need only continue our present efforts. No new armament is necessary. And if any war provides its own resources, it must be a war with Spain. Her fleet is not yet arrived; the capture of it will greatly add to our strength, and entirely disable our antagonists. When her treasures are once safe in her ports, she will soon alter her tone. Apprehensive of this stratagem, I insisted, from the beginning, upon the final signing of the preliminaries, before the season for striking this blow was past. Now or never is the time to press hard upon our enemies, whether secret or declared, and to allow them not a single moment for recollection. Had we not treated the Dutch in this summary and decisive manner, they might have, ere now, become formidable. Nothing is to be gained by irresolution and timidity; words, which ought never to be mentioned in war. This measure we owe to the dignity of the nation, which admits not of insults unpunished: this measure we owe as a lesson to Spain, and to every other power, for presuming to dictate in our affairs, and to intermeddle with a menacing mediation, and an officiousness, as insidious as it is audacious.

The advice of the minister, which was fraught with equal wisdom and spirit, was over-ruled through the short-sightedness, timidity, and envy of his colleagues. As he had acquired, so he preserved, his seat in the cabinet, by the voice of the people. He stooped to no mean condescensions to ingratiate himself with the sovereign, nor used any corrupt arts to secure the suffrages of the national representatives. He relied entirely on the rectitude of his measures for the publick approbation, and on that basis he seemed desirous that his power should rest. As all his plans succeeded; as he raised the nation from the lowest abyss of despair, to the highest pitch of glory, that it had ever known, no wonder

wonder if he was respected, and even idolized by the people. The unlimited, but just confidence, which they reposed in his wisdom and integrity, gave such a weight to his opinion, that as long as our affairs remained doubtful, it swayed the senate and council without controul. Kings and their minions cannot easily endure such virtue near them. No sooner had he fully restored our affairs, and established them on a solid foundation, than schemes were laid to juggle him out of power. Finding that his superior talents had in some measure annihilated their authority, they sought every opportunity of destroying his credit, and erecting their own greatness on his fall. The present question, they saw, was delicate, and susceptible of much debate. Their prejudices against the minister bestowed strength on every objection to his scheme, and made arguments, which were only plausible, appear irrefragable in their eyes.

Though they had concurred in a similar measure against France, they now pretended that it shocked their ideas of the law of nations. Spain, said they, has certainly taken a very extraordinary and unjustifiable step: yet, a spirited remonstrance may perhaps, induce her to relinquish that dangerous connection, into which she has probably been unwarily betrayed. Though we ought not to be deterred from the assertion of our just rights, by the menaces of any power, still we ought to admit, and even to desire an explanation. To shun war on a just occasion, is cowardice, to provoke or court it madness; especially with Spain, the fundamental principles of the policy of both nations, dictating pacific measures. This desire of adding war to war, and enemy to enemy, while our hands are already fuller than they can hold, while all our powers are strained to their highest pitch, is counting too much upon the national strength, which, however great, has its limits. While you call for new enemies, there is no mention of new allies, nor of any other fresh resource. Are we able to contend with all the world?

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If we plunge precipitately into this war upon no better, no more offenfible grounds, all Europe will be alarmed, and we cannot poffibly derive any advantage from anticipating Spain, which will not be more than counterbalanced by the jealousy and terror, which it will neceffarily create in every nation around us. As to the feizure of the flota, it is too precarious an operation to be depended upon; at this very moment it may be fafely arrived in harbour; and, if we could fucceed in feizing it, we might perform a fervice neither very agreeable to the neutral nations, nor advantageous to our own commerce. If Spain, blind to her true intereft, and miffed by French councils, fhould after reiterated remonftrances, refufe all reasonable fatisfaction and evidently join with our enemy, it will then, and not till then, be time to declare war; when all the neighbouring and impartial powers are convinced that we act with as much temper as refolution. Thus, when every thinking man at home is fatisfied, that he is not precipitated into the hazards and expences of war out of chimerical heroifm, but from inevitable neceffity, the whole nation will chearfully fupport minifters, who depend upon its ftrength, but dread to exert it wantonly, or unjuftly.

These arguments would have had fome weight, were it not manifef to every rational, unbiaffed man, that Spain had fufficiently declared what part fhe intended to take, or rather had already taken. Pitt, fenfible of this truth, and roused by oppofition, declared that, if they let flip this opportunity, of humbling the whole houfe of Bourbon, it might never be recovered, and that, if his advice was not taken in this particular, he was determined to make this the laft time that he fhould fit in the council. I thank, faid he, the minifters of the late king for their fupport. But as I was called to the miniftry by the voice of the people, I confider myfelf accountable to them for my conduct; and I do not chufe to remain longer in a fituation, which makes me refponfible for meafures, which I am no longer allowed to guide.

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These words, which implied a censure of the present ministers, and a greater deference to the people, than a court is willing to encourage, drew from earl Granville, the president, a reply, which was fuller of haughtiness and asperity, than of justice or knowledge of the constitution. He meant it as incense to the sovereign, and a sacrifice at the shrine of his minister.

On the following day Pitt resigned the seals. The young king having embraced the opinion of the other counsellors, did not request him to resume them, but suffered this great man to retire from the public service, as if he had been an ordinary person. This, we hope, was more owing to a sense of dignity, than to a want of feeling. As if a regular plan had been previously formed to ruin his credit with the people, he was surprised into the acceptance of a pension for three lives, a title being conferred on his lady and her issue. If after this mark of the king's favour he should still engage in opposition, it was hoped by his rivals, that he could not escape the imputation of the blackest ingratitude. On the contrary, if he supported an administration, which he had renounced, because he disapproved of their measures, or, even if he continued neuter, they imagined that the giddy multitude would construe his concurrence or acquiescence into a bargain, for abandoning their cause, the pension and title being the valuable considerations.

This scheme, no less artful than insidious, was not without effect. The people began to suspect his attachment to their interest. Knowing by experience, that the peers are not the most friendly to their cause, they could not without jealousy see him preparing to leave them, and to exchange for a peerage the most honourable of all distinctions, the title of the Great Commoner, by which he was universally known. Yet, notwithstanding the umbrage occasioned by this circumstance, notwithstanding all the arts used to vilify his character, to ridicule his talents, and to depreciate his services, the great corporations apprehen-

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five that his dismissal would revive the drooping hopes of our enemies, and that we would relapse into that state of insignificance and contempt, from which we had been rescued by his wisdom and vigour, began to set on foot addresses, resolutions and instructions. But their progress was slow and languid. His popularity was no longer that impetuous torrent, which at the beginning of the war bore down every obstacle, and obliged the king and his ministers to truckle. His rewards and honours were opposed as wounds to its violence, and the state of our affairs was not so pressing nor dangerous. Happy it had been for his country, and honourable to himself, had he foreseen the snare, which was laid for him, and trusted to the spontaneous generosity of the nation for rewarding his merit. We might still have been a triumphant and undivided people.

As the sagacious Pitt foresaw, the Spanish court continued to amuse our ambassador and ministry, with shuffling evasive answers, till all the expected treasure arrived from the West-Indies, and then threw off the mask without hesitation, having hardly any better reason to alledge for their hostile intentions, than that they had not been treated with due respect by Pitt, against whom they seemed to declare war, as much as against England. Nothing in nature could be more honourable for him than the antipathy, which our inveterate enemies bore him, and the efforts, which they made to destroy his reputation. It is our great misfortune, that his successors in power did not incur the same odium.

BUTE'S ADMINISTRATION.

In the beginning of November the new parliament being opened at Westminster, the house of commons chose, with his majesty's approbation, Sir John Cust for their speaker. Though this gentleman had never distinguished himself by his talents, yet, as he knew

the forms of the house, and was respected for his moderation and probity, no objection to his appointment was started by the public. The king's speech furnishes nothing remarkable, except, that it was echoed back almost word for word by the commons, through ministerial direction. Before any enquiry was made into public grievances, they proceeded, like loyal subjects, to make provision for the queen, in case of his majesty's decease. She was allowed a jointure of one hundred thousand pounds, with Somerset-house, and the lodge at Richmond old Park, for her town and country residence. When the act passed, her majesty, who sat on a chair of state, at the king's right hand, rose up, and made her obeisance to the king, not to the representatives of the people, as if it was he, not the nation, who bestowed upon her this liberal grant. But she was not so very blameable: our kings have always affected independence in pecuniary matters, and would have whatever is settled upon them, considered as their right, and not a favour. The first magistrates of Rome, bowed their faces to the people, as an acknowledgment of their superiority. England has not yet reached that pitch of freedom. The sovereign is thanked by the receivers of their bounty, as if he were the only proprietor. They still wear this badge of their ancient slavery. If they enjoy liberty, it must be confessed, that they enjoy it under the mask of despotism. The very language used by the prince on all public occasions, must naturally swell him with extravagant ideas of his own power, and make him imagine that his authority is uncontrollable. The humiliating forms of the old Norman tyranny still prevail in every transaction, which requires his concurrence. Would not our patriots do well to consider whether this circumstance has not a necessary tendency to make us relapse into our former abject condition?

Having settled this point, they proceeded to the repeal of the compulsive clause in the act of insolvency, which

which had been the cause of so much murmur and discontent. The plundering war, which had been carried on in Westphalia, had produced no signal advantage on either side: but it had impoverished the country to such a degree that it was no easy matter to procure subsistence for the armies. Our troops particularly, were so ill provided with winter-quarters and necessaries, that their complaints reached England, and begot an enquiry into the expediency of continuing the German war. The ministry entered heartily into the debate, as it gave them an opportunity of discussing the late minister's conduct, and of loading it with all the odium, of which it was susceptible.

"We are now, said they, pursuing a plan, which
 "must in the end, rob us of all the advantages,
 "which we gained during the short period that we
 "followed a system more national, more suitable to
 "our circumstances. Germany, that gulph, which
 "annually swallows up five millions of our money,
 "will at length drain our exchequer to such a degree
 "that we shall be glad to buy peace, by the restitution
 "of all our conquests. It is needless to enter into
 "that long and vainly agitated question, Whether
 "we ought at any time to interfere in the differences
 "of the continental powers? this disquisition is foreign to the present purpose; because it is of too
 "vague and general a nature, to admit of any precise
 "determination. It may, however, be asserted without rashness, that we cannot, consistently with common prudence, encounter France on her own element, without a concurrence of the other great states.
 "This was the maxim of the great king William;
 "at the head of such a confederacy, he made the most
 "august appearance, of which human nature is capable: at the head of such a confederacy Marlborough humbled the pride of our rivals, and reduced them to their ancient limits. This point, however, was not gained without difficulty, without a violent struggle. How can we expect to

“ succeed against so formidable a power, when we are
“ not only unassisted, but opposed by the greatest of
“ those nations, with whom we were at that juncture
“ combined? Such an attempt can never be justified
“ by a comparative view of the strength, wealth and
“ populousness of the two contending nations.

“ As if France did not from these circumstances
“ enjoy advantages enough over us, we pitched for
“ the scene of action on Germany, the very spot,
“ which, had she her option, she must have preferred
“ to all others. For where else could she so easily
“ furnish her troops with provisions and recruits?
“ where else could she enjoy the benefit of seeing the
“ public money return into her own bosom? is she
“ repulsed? her repulse brings the army nearer to
“ her own frontiers, where they are supported and
“ reinforced with still more facility and less expence.
“ Is the war carried into the heart of her territories?
“ the same arguments recur with a double force, and
“ shew that it is impossible for the allied army to
“ gain any decisive advantage on the German fron-
“ tiers of France. But there is no probability that
“ this event will take place. By her address and our
“ mismanagement the swords of Germany are turned
“ against itself: that vast and populous country,
“ which has always been the strongest bulwark against
“ her domineering ambition, is from one end to the
“ other, laid waste and desolate. We, whose interest
“ it is to bring the whole body firm and compact,
“ against the common enemies, co-operate with our
“ blood and treasure to complete its disunion, and
“ distraction; while they fatten on its spoils, and re-
“ lieve their necessities by its miseries. To the En-
“ glish, every circumstance is unfavourable in this
“ theatre. Defeats will be attended with their usual
“ bad consequences; and victories will only carry
“ them farther off from their resources. Every step,
“ which they advance towards the conquest of France,
“ will render the conveyance of provision, ammuni-
“ tion,

“ tion, artillery, and the other infinite incumbrances
 “ of a numerous army, more difficult and expensive,
 “ if not totally impracticable.

“ Nor is this mere speculation : the events, which
 “ succeeded the battle of Crevelt, have proved our
 “ reasoning to be founded on fact. From the diffi-
 “ culty of procuring subsistence, rather than from
 “ the superiority of the enemy, the victorious army
 “ was forced to repass the Rhine, and to carry back
 “ into the heart of Westphalia the war, with which
 “ it had threatened the fugitive French. Thus vic-
 “ tory itself cannot, according to our present plan,
 “ work out our salvation : success serves only to ac-
 “ cumulate our distresses.

“ The loss of her navy has enabled France to con-
 “ tract her expences : ours continue the same ; and,
 “ that they may never end, she endeavours to entan-
 “ gle us inextricably, in the toils of German con-
 “ nections. The prolongation of war in this quarter,
 “ is as advantageous to her, as it is ruinous to us : on
 “ her side it requires little more than what her peace
 “ establishment is able to furnish ; on our side the
 “ whole charge is extraordinary : it lives and dies
 “ with the war. Shall we then lavish our treasures,
 “ as if they had no end, on Hanoverians and Hes-
 “ sians ; allies, who, if they merit that name, serve
 “ only to protract the feeble efforts of a system, in
 “ which nothing can so effectually contribute to our
 “ safety as an early and total defeat ?

“ But this alliance, burdensome and unavailing as
 “ it is, does not half so much expose the ignorance
 “ of our former negotiators, as the treaty made with
 “ the king of Prussia, to whom we pay rather a tri-
 “ bute than a subsidy ; since he is so far from being
 “ able to make us any suitable return, that he is hardly
 “ capable of resisting his own immediate enemies.
 “ Constantly verging on ruin, he can compensate the
 “ charges, which we bear for his sake, neither with
 “ real nor shewy advantages. Because he seems

"doomed to destruction, must we voluntarily share
 "his fate? is there any just foundation for the par-
 "tiality, which we discover for this monarch? has
 "he ever shewn any strong attachment, any predi-
 "lection for Great-Britain? or is he renowned for
 "inviolable faith? On the contrary, he has been hi-
 "therto chiefly known to us by injuries, hostilities,
 "adherence to our enemies, and a disregard of every
 "tie but his own interest. But he must, forsooth,
 "be considered as the great protector of the reformed
 "religion. Be it so; while his writings testify how
 "little he values any religion, and his actions prove
 "what mischiefs he has done to that particular spe-
 "cies of it, which he is said to defend. He invaded;
 "and cruelly oppressed Saxony, a protestant country,
 "where he found the people exempted from any mo-
 "lestation on account of religion. Even among
 "the Catholics persecution had lost much of its
 "edge, when he revived its memory; and, by for-
 "cing the popish powers into a strict union, brought
 "more calamities upon the divided Protestants, than
 "they had ever experienced during the utmost ran-
 "cour of a holy war.

"But what is it that we propose to secure by all
 "these burdensome alliances, by all our mighty ar-
 "maments, all our enormous disbursements? A
 "paltry German electorate, which, were it exposed
 "to public auction, would not sell for one fifth of
 "the sum, that has been expended in its defence?
 "Had we, instead of pursuing this ruinous system,
 "instead of engaging France on her strong side,
 "gone on in attacking and vanquishing her colonies,
 "we might, without exhausting our own strength,
 "have gradually wasted away her principal resources,
 "and rendered her as incapable of continuing the
 "war, as we must soon become, according to our pre-
 "sent plan. Had we not officiously interposed in
 "their quarrels, the continental powers would have
 "attended more to their own interests, and better de-
 "fended

"fended their rights. But, if they will be blind
 "enough not to stir in their own cause, let the French
 "enter, let them conquer, let them possess Hanover:
 "it cannot be exposed to greater miseries than those
 "engendered by the present war. Let us not exhaust
 "ourselves fruitlessly in its defence: the possession of
 "the French colonies will, besides the security of our
 "own just claims, enable us to restore it to the lawful
 "sovereign, and perhaps to procure some indemnifi-
 "cation for what it may suffer in our quarrel."

Such was the substance of the speeches against the
 continuation of the German war. Those, who em-^{Pro war}
 braced the opposite side of the question were at no
 loss for a reply. "Your speeches, said they,
 "abound more in declamation than argument:
 "your reasonings are more specious than solid. You
 "triumph greatly in displaying the enormous ex-
 "pence, to which we have been exposed in the pro-
 "secution of this war? But when did you ever hear
 "of a war, that was not expensive? If the present
 "has been more chargeable than any, in which we
 "were ever engaged, the expence has been incurred
 "to good purpose; our successes are proportioned to
 "our disbursements: no period of our history can
 "equal the advantages, which must accrue to the
 "island from the glorious exploits of its armies.
 "Have you shewn that France's disbursements have
 "not been equally large, equally ruinous? Has she
 "borrowed less money, or at lower interest? The re-
 "verse is true. And what has she gained by all these
 "efforts? The ruin of her trade, the destruction of
 "her marine, the loss of her colonies, and public
 "bankruptcy.

"But these circumstances have enabled her to
 "contract her expences? If you had said that they
 "have obliged her to take that measure; while they
 "have augmented the revenues of England, and put
 "it in her power to extend her plan of operations,
 "you would have spoke sense and truth. But if
 "you

" you must have our annual disbursements diminish-
 " ed in proportion to the unavoidable diminution,
 " which has taken place in France, what hinders us to
 " reduce our naval armaments? If Spain be so pa-
 " cifically inclined, as you insinuate, the same fleet is
 " not now necessary, that was requisite to destroy the
 " French marine? One much smaller will keep it
 " within its present narrow limits.

" These advantages we could not have so easily
 " acquired, if our rival had not embarked in the
 " German war; which has diverted her attention
 " from the protection of her trade: eagerly grasping
 " at two grand objects she has missed both: for it
 " must be confessed that, if we consider the force,
 " which she brought into the field, her success in
 " Westphalia has not been more brilliant than in
 " other parts of the world. Whence is this, if she
 " be so unconquerable in that quarter? Does it arise
 " from a thorough conviction that a final and speedy
 " conquest of Hanover, would be advantageous to
 " us, and injurious to her interest? Such a suppo-
 " sition is worthy of those, who not only insinuate,
 " but openly declare that the total loss of her trade
 " will be the salvation of France, and that England
 " will be ruined by her victories. Was ever a nation
 " counselled before to give up an extensive and not
 " unpleasant country, which furnishes fifty thousand
 " hardy veterans, to its natural, its inveterate foe?
 " It has perhaps cost us more than its intrinsic worth.
 " What then? The struggle is not so much for
 " Hanover as for empire. And yet the prize is not
 " so despicable as you would represent it: the eager-
 " nefs of France to obtain it is an undeniable proof.
 " The question is whose finances will hold out
 " longest; if ours do, we must give the law. That
 " they will is a very probable circumstance; for
 " every thing is in our favour. Our trade is flourish-
 " ing, our credit high, and we are in the habit of
 " beating the enemy. In every one of these articles

" France

“ France is found wanting ; and her resources are
 “ likely to diminish as ours increase.

“ What then should deter us from continuing the
 “ war ? The consideration, I suppose, of her great
 “ power, and of the long and vigorous struggle,
 “ which she maintained at the beginning of this
 “ century against the grand confederacy ? This is the
 “ very circumstance, which turns the balance on our
 “ side, and dictates the prolongation of hostilities.
 “ The efforts, which she made at that juncture, ex-
 “ hausted her strength to such a degree, that she has
 “ never yet perfectly recovered. The last war con-
 “ tributed to her decay ; and the present has in a
 “ great measure finished what it began. Let us there-
 “ fore fall on, and press her, while her spirits are
 “ sunk, while her hands are nerveless. This is the
 “ time for humbling the house of Bourbon, and
 “ checking for ever that ambitious spirit, which
 “ has been so long and so vainly aiming at universal
 “ empire. The success which our arms alone, un-
 “ assisted, have had against her, is a sufficient proof
 “ that we are an over-match for all her power. It is
 “ ridiculous to go back half a century in order to
 “ form a comparison between the two nations : the
 “ present time is the only just criterion, by which we
 “ can judge ; and here we have manifestly the ad-
 “ vantage. Shall we then turn our backs upon for-
 “ tune, who comes smiling forward to take us by
 “ the hand, and to lead us to victories, riches and
 “ triumphs ? Shall we not reap the golden harvest,
 “ which she offers to our sickles, because it is at-
 “ tended with some labour and expence ? This is the
 “ sluggard’s pretence.

“ If the king of Prussia has been a heavy burden
 “ upon us, France has found Austria and her allies
 “ a still heavier mill-stone about her neck, without
 “ deriving the least immediate advantage from their
 “ arms. This is not the case with us : the battle of
 “ Rosbach roused the Hanoverians from their shame-

“ ful

"ful retreat, and gave liberty to Westphalia. The
 "heroic efforts of the same prince employ the prin-
 "cipal part of the confederate forces; and it is to be
 "hoped that they will still employ them, till some
 "favourable event dissolve the unnatural alliance.
 "At any rate, our dignity, our national faith, which
 "is too sacred to be violated, oblige us to adhere to
 "our engagements, and to preserve the balance of
 "Germany. If we be so blind to our own interest
 "as to suffer France to give law on the continent,
 "she will, by such a vast accession of new strength,
 "soon crush us, and bring the war to a short issue.

"As to the objections against the king of Prussia
 "on account of his religious principles, or of his
 "behaviour to some protestant states, they deserve
 "no answer. Whatever his private sentiments in
 "religion may be, his public conduct in that respect
 "is a perfect model of political prudence and saga-
 "city. He wants subjects; and therefore grants a
 "general toleration. The papers, which he seized
 "in the Saxon palace, sufficiently vindicate his cha-
 "racter from the imputation of wantonly invading a
 "protestant country. He was not the aggressor: he
 "only prevented an old and inveterate enemy from
 "stabbing him unawares to the heart.

"In a word, if there were no other motive to in-
 "duce us to exert our utmost strength for the final
 "humiliation of our rival, we ought to be deter-
 "mined to it by this single consideration, that this is
 "the best and last opportunity, which we are ever
 "likely to possess. If, now that she is bankrupt and
 "almost prostrate at our feet, we are not able to
 "bring France to our own terms, to what purpose
 "shall we enter into any future war? We will be
 "ruined, it seems, by victories as well as defeats; we
 "will be a singular example in history of a people
 "forced to crouch to their enemies by a constant
 "course of triumphs and an uninterrupted flow of
 "riches."

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The discussion of this question was certainly very necessary before we engaged in the German quarrels; but now it was a matter of mere speculation. While the commons amused themselves with it, they found the nation dragged into a new field of war, a new scene of expence. As Pitt prophesied, Spain acted: the humiliation of the French roused her jealousy; and she granted to their distresses that support, which she would have denied to their triumphs. At the very moment that she declared her final resolution to commence hostilities against us, it appeared that she had, previously to any idea of a rupture, concluded with our enemy a treaty, which, exclusive of any other motive, would have justified us in attacking her with fire and sword. This treaty, or family compact, as it is called, is the most perfect model of confederacy, that ever was contracted by two distinct crowns. Their subjects are mutually naturalized, and entitled to every privilege and immunity, as fully as if they were natives. The direct trade to America forms the only exception to this comprehensive community of interests. Other nations are expressly excluded from any prospect of similar advantages. What can be more complete than this civil union? Nothing but the political union, by which they are to consider the enemies of the one as the enemies of the other, and to wage war against them jointly with their whole forces; the military operations being to be adjusted by common consent, and the most perfect agreement. They are reciprocally to disclose their alliances and negociations: they are to consider the interests of the allied crowns as the same, to compensate their several losses and advantages, and to act in every instance as if the allied monarchies formed but one power. As if all these alarming circumstances were not sufficient to provoke us to arms, Spain is not obliged to succour France, except she be attacked by land in her own country, or "engaged with a maritime power." This last article shews evidently

evidently the principal drift of the treaty, and against whom the efforts of Spain were to be directed; and, though the treaty was not to take place till the conclusion of the present war, it afforded sufficient grounds for hostilities, because we were no less interested in dissolving the compact than they were in consolidating it. War, however, was not declared till the last extremity. The improvidence, irresolution and pusillanimity of Pitt's successors, allowed our enemies time to make the best preparations, of which their monarchies were capable, before they decided.

The great shock, which the English ministry had received, and the accession of a formidable power, untouched in its resources of men, money and stores, inspirited France with fresh hopes, and gave her once more a pleasing prospect of retrieving that superiority, which she had lost. Her navy, which alone was nothing, became considerable, when joined by a hundred Spanish ships the finest in the world. To render it still more respectable, several communities, from a zeal for the glory of their royal house, which they thought concerned, as well as their country, equipped ships at their own expence, and presented them to their monarch. Conscious of their united strength, the two powers began to apply menaces to the states-general, in hopes of drawing Holland over to their side: but finding them firm and immoveable, they turned their thoughts to Portugal, an object more tempting, and less capable of resistance.

When this country shook off the Spanish yoke, she found herself stripped of those fair acquisitions, which had been the sources of her former power and glory. In the interval of her eclipse, other commercial states had arisen, and had established a maritime power, which disabled her from recovering her trade and riches. Without any danger to her existence, she languished, through the incapacity of her monarchs, in a state of mediocrity, and tended gradually to decay. The character of her government, as well as of her religion,

religion, was narrow and bigoted, and the whole system of her commerce was absurd. The long peace which she had enjoyed, had not greatly improved her finances, while it had almost annihilated her armies. No country in Europe kept troops so inconsiderable in numbers, so ill furnished with arms, so deficient in discipline, so unprovided with able and experienced officers. Her navy was not more respectable; it consisted of six or seven ships of the line. The fortifications of her strong places were in a still worse condition: scarce any of them could sustain a regular siege. In this wretched situation she received a terrible blow from an earthquake: the city of Lisbon, and other places, were laid level with the ground: thirty thousand souls were buried in the ruins; and the survivors, with the court itself, were reduced to the utmost distress. As if the minds of men had been unhinged by this catastrophe, a horrid conspiracy was formed to overturn the government, and to destroy the sovereign. The noblest families in the kingdom, being either found guilty or suspected, were cut off with little ceremony or distinction, by a bloody and dreadful execution. Even those who were supposed to have the most distant connection with the conspirators, suffered death, exile, or imprisonment. Among them were the Jesuits; the most considerable order in the kingdom, for wealth, influence, and policy. They were stripped of their possessions, and banished for ever from their native country. Yet many still remained, who were connected by blood or interest, to the beheaded nobles, and many more who were attached by religious prejudice to the expelled Jesuits. In these the king could place no confidence, as he must have been sensible that their resentment represented to them his government as no better than a bloody tyranny.

Invited by this weakness and distraction, the Bourbon confederacy resolved, with more policy than generosity, to wound Britain through the sides of Portugal. While the commerce of corn between the two kingdoms

doms was prohibited; while sixty thousand Spaniards begirt the Portuguese frontiers, and every circumstance indicated a sudden invasion, the two Bourbon ministers presented a joint memorial, of which the purport was, to persuade his most faithful majesty to concur with their masters in humbling the pride of England---with which he was in alliance---on which he had no claims---against which he had no complaints. However, that there might be words, if not arguments, they insisted largely on the tyranny which England exercised on every maritime power, and among the rest, on Portugal. As an example, they specified the affront offered to her jurisdiction, by the attack which Boscawen made on a French squadron under one of her forts. They expatiated on that affinity, by whose ties the monarchs of Spain and Portugal are as much bound to oppose her ambitious prospects, as all other powers are by their common interest. But in all their reasoning, no argument was so forcible as that, which insinuated that, if their proposal was accepted, the Spanish troops were ready to guard Portugal from the English, and that the refusal of a categorical answer in four days, would be deemed a negative.

Was ever independent majesty affronted with a proposition of such arrogance and despotism? No scheme could be more unjust, or more likely to succeed. The situation of the faithful king was certainly worthy of compassion. If, according to his alliance, his interest, and the dictates of faith and honour, he adhered to England, sixty thousand men were ready to pour into his dominions, and to wrest them from him by force. If intimidated by their insulting menaces, he complied with the unfair proposal, by which he was mocked, he delivered himself up bound hand and foot, and without a blow surrendered his kingdom as a province to Spain. He rejected their offers with scorn, and with becoming spirit declared, that it would affect him less, to let the last tile of his palace fall, and to see his faithful subjects spill the last drop of their blood,
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than, together with the honour of his crown, to sacrifice all that Portugal holds dear, and become, by such unexampled proceedings, an alarming lesson to all pacific powers, that they will no longer be entitled to the benefits of neutrality; when a war is kindled between states with whom they are connected by defensive treaties. Such were the first fruits of the Bourbon Compact! they showed clearly what Europe had to expect from its continuance: they showed that Portugal was the bait which drew Spain into the war. England, who alone could sustain the weight of this blow, was not deprived of her recollection: troops, arms, and warlike stores, were shipped off for Portugal, British men of war guarded its coasts, and a million sterling was voted by the parliament for its assistance. Though already engaged, directly or indirectly, with almost all the great continental powers, she found means to put this kingdom in a posture of defence. Alone she seemed to balance the rest of Europe. The supplies granted by her parliament, amounted this year to more than eighteen millions sterling. Twelve millions of that sum were borrowed by annuities chargeable on the sinking fund, which was to be repayed the interest by a new duty on windows, spirituous liquors, and by the surplus of other duties not yet appropriated.

(1762.) When the war with Spain was found inevitable, Mr. Pitt projected the reduction of Martinico, the only considerable settlement which remained to France in the West Indies, at a season that would admit of employing the same troops against the Havannah, the key to all the Spanish possessions and treasures in South America. The succeeding ministry adopted this plan, which, like all the schemes of that great man, was no less wise than bold. The French having been finally exterminated out of America in 1760, and the natives quelled in 1761, the state of our affairs admitted of considerable draughts of men from that quarter. Accordingly general Monkton, who
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had acquired so much honour in the war, sailed from New York with eleven battalions, which, with the troops from Belleisle, and the Leeward islands, fell little short of twelve thousand men. The English fleet having rendezvoused at Barbadoes, appeared before the island on the seventh of January; and made such judicious dispositions, that the troops landed, and took possession of the enemies batteries without the loss of a man. Though the French regulars were formidable neither for number nor quality, the militia, which was well armed, well disciplined, and excellently qualified for the service, which the nature of the country required, supplied that deficiency. The whole island, which is mountainous, and unequal, is intersected with deep gullies hollowed out by rapid torrents, which render the progress of an army, encumbered with artillery, extremely difficult. These obstructions were no where greater than in the neighbourhood of Fort Royal, against which the first regular attack was proposed. This town is commanded by two considerable eminences, which were strongly fortified by nature and art, and served equally for its defence or offence, as they happened to be in the hands of a friend or an enemy. The lower of the two was first to be reduced. A body of regulars and marines, supported by a thousand sailors in flat-bottomed boats, advanced on the right along the sea shore, in order to force the redoubts which lay in the lower grounds. On the left towards the country, a detachment of light infantry, with a proper reserve behind them, turned the enemies flank. The grenadiers, assisted by the remainder of the army, and the fire of batteries erected on the opposite eminences, made the center attack. The dispositions were made with great judgment by the commander; the soldiery performed their part with equal spirit and gallantry. With irresistible impetuosity they successively carried the enemies works in every quarter. They drove them from post to post, till after a sharp struggle, the British banners were fixed on the top of the hill. Some of the

fugitives were pursued to the very gates of the town: others saved themselves on the second hill, which overlooked and commanded that which was taken. Three days elapsed, before proper arrangements could be made for dislodging them from this strong post, which annoyed and harassed our men. Whilst the utmost diligence was employed on this object, the enemies whole force sallied out of the town, descended from the hill, and attacked our advanced posts; but they were immediately repulsed by the British troops, who, hurried on by their ardour, improved a defensive advantage into an attack, passed the gullies, mingled with the enemies, scaled the hill, seized the batteries, dispersed the militia, and drove the regulars into the town. The batteries for annoying the town were no sooner compleated than it surrendered. Still St. Pierre, the capital of the island, and a place of great strength, remained to be reduced. It was apprehended that, if the strength and perseverance of the garrison corresponded, the total conquest of the settlement, might be attended with delay, if not disappointment. But the disasters which they had already suffered, had abated the enemies confidence: the militia particularly were quite disheartened, and despaired of making any effectual defence. The planters, solicitous for their fortunes, dreaded the ruin of their estates by the continuation of hostilities, or perhaps the loss of all, by letting slip a favourable opportunity of capitulating. Influenced by these motives, and the train of misfortunes which every where attended the French arms, deputies arrived to surrender up the island, as general Monkton was embarking for the reduction of St. Pierre. With this place, the seat of government, the mart of trade, and the center of all their force, fell the remainder of the French Caribbee islands, Grenada, St. Lucia, and St. Vincent, and many other isles which form a chain extending from Hispaniola, almost to the continent of South America. Though some of them are small, some barren, and many not well inhabited; yet,

altogether, boast more trade than falls to the share of many respectable kingdoms.

The time at which this conquest was achieved, was of the greatest moment. The war with Spain made it necessary to strike some blow, which might check her pride and presumption, and force her to conclude a consuming war, that had exhausted even the conquerors. All the troops, that could be spared from the newly-conquered islands, were re embarked by Sir James Douglas, who joined admiral Pococke off the north-west end of Hispaniola. The land forces, which were commanded by lord Albemarle, amounted in all to ten thousand. As the hurricane season was more to be dreaded even than the resistance of the enemies; the utmost expedition was necessary. The admiral, therefore, instead of keeping to the south of Cuba, resolved to steer through the old streights of Bahama, a narrow passage, seven hundred miles in length, and usually avoided by single and small vessels. So bold an attempt had never been made; but every precaution was employed to secure this boldness from the imputation of temerity. A vessel had been dispatched to reconnoitre the passage, and by her taking the lead, by means of a good chart of lord Anson's, and of boats with signals stationed to the right and left, the whole fleet, amounting to two hundred sail, were safely conducted through these perilous streights.

The Havannah, the object of their long voyage, and of so many anxious hopes and fears, now lay in sight. This place is not the capital of Cuba: but, though the second in rank, it is the first in size, wealth, and importance. The harbour, which is perhaps the best in the world, is entered by a narrow passage half a mile in length, and expanding itself at last into a capacious basin, sufficient to contain a thousand sail of the largest ships secure from every wind that blows. Here the rich fleets from the several parts of the Spanish settlements rendezvous, before they finally set out on their voyage to Europe: a circumstance, which has rendered the

the Havannah one of the most opulent, flourishing, and populous cities in the western world: Suitable to its importance, was the care with which it was fortified. On one side of the narrow entrance into the harbour, stood a strong fort called the Moro, and on the other a fort called Puntal, which joined to the town. The town itself was defended by a rampart and ditch, flanked with bastions. A fleet of twenty ships, mostly of the line, lay in the harbour. Whether for want of instructions, or want of strength, or timidity, they remained quiet; and though near an equality, declined a battle, which, had it been tolerably maintained, might have possibly saved the city. But trusting to the strength of the place, and the assistance of the stormy weather, which they saw approaching, they resolved to remain on the defensive. They threw a strong boom across the mouth of the harbour, and behind it, sunk three of their largest ships: this being almost the only use which they made of their navy.

When the British commanders had got every thing in readiness for landing, the admiral, with the greatest part of the fleet, bore away to the westward, and made a feint of disembarking the troops, while a detachment, protected by commodore Keppel and captain Hervey, landed to the eastward of the harbour without opposition; a small fort, which might have given disturbance, being previously silenced. On this side, the principal army was destined to act: it was divided into two bodies; the one being employed in the siege of the Moro, which commanded the town and harbour, the other in covering the siege, and in protecting the parties employed in procuring water and provision. A detachment under colonel Howe, drew the enemies attention to the westward of the town, and cut off its communication with the country.

The difficulties through which the English struggled in the siege of Moro, are almost incredible. The earth was every where so thin, that they could hardly cover themselves in their approaches. Without any

spring or river near them, they were forced to fetch water from a great distance; and so scanty and precarious was this supply, that they were glad to put up with what the ships could afford. Roads of communication were to be cut through thick woods; and the artillery was to be dragged, for a vast way, over a rough rocky shore. Several dropt down dead with heat, thirst, and fatigue. Nothing, however, could abate the ardour of the men: batteries were raised against the fort, and against the ships, to force them farther into the harbour, that they might not be able to molest the besiegers.

The navy, not contented with the great assistance which they had already lent to the land service, resolved to make an attempt which was more directly within their province. On the very day that the batteries were opened against the Moro, three of the largest ships, under captain Hervey, laid their broadsides against the fort, and began a terrible fire, which lasted seven hours without intermission. The Moro returned it with great constancy, and being situated on a very high and steep rock, was proof against all their efforts. This circumstance, together with the galling fire from the Puntal and the town, obliged them to sheer off with loss.

But though they made no impression, the attention of the defendants was so much engaged, that they neglected the other side of the fort, and allowed the fire of the English batteries to become superior. As soon as they were released from the ships, they returned to that duty, and revived their defence with great spirit. An unremitted cannonade was for many days maintained with the fiercest emulation; when, through the intense heat, and continual firing, the capital battery of the English, which was composed of timber and fascines, caught fire, and crumbled to ashes in a moment. The labour of six hundred men for seventeen days, was lost in the twinkling of an eye.

No stroke could be more mortifying, because none
could

could be more severe. The fatigues of the siege were now become almost intolerable. The sickness, which had begun to make its appearance in Martinico, had, by rigorous duty in this unwholesome country, reduced the army to half its number. Five thousand soldiers were at one time unfit for service, through various distempers; and three thousand sailors were in the same miserable condition. The total want of good provisions exasperated the disease, and retarded the recovery. The want of water, the greatest of all their grievances, aggravated the rest of their sufferings; and the necessity of bringing, from a distance, the scanty allowance of it, which they could procure, exhausted all that force, which was now insufficient for their multiplied duties. The season advanced, and the prospect of success grew every day fainter. This gallant army wasted away with diseases, and the hearts of the most sanguine sunk within them, while they considered that the noble fleet, which had rode so long on an open shore, must be exposed to inevitable ruin, if the place was not reduced before the approach of the hurricanes. A thousand languishing and impatient looks were cast out for the reinforcement, which was expected from North America. None, however, appeared; they were left alone to struggle with their misfortunes. Many fell into despair and died, overcome with fatigue, disappointment and anguish. But, however great their distresses, however small their numbers, they made efforts, which would not have disgraced the largest and the best appointed army. The rich prize which lay before their eyes, the shame of returning home baffled, and even the strenuous resistance of the enemies, engaged their interest, their honour, their pride; and roused them to the exertion of every nerve. The batteries were replaced; their fire became equal, and soon superior to that of the fort; they silenced its guns, dismantled its upper works, and made a lodgement in the covered way. This grand advantage revived their hopes. The Jamaica fleet

furnished them with some necessaries for the siege, and they received a considerable part of the reinforcement from America.

Notwithstanding these favourable events, their spirits were damped by a sudden and unexpected check. An immense ditch, cut in the solid rock, eighty feet deep, and forty wide, yawned before them, and stopped their progress. To fill it was impossible, to mine it difficult. Had not a ridge of rocks been fortunately left, in order to cover it from the sea, it might have been impracticable. On this narrow ledge, the miners, without any cover, but with little loss, passed this gulph, and soon buried themselves in the wall.

The governor now seeing that the Moro, if left to its own strength, must soon be reduced, resolved to attempt something for its relief. Accordingly twelve hundred men were, before break of day, transported across the harbour, and after climbing the hills, made three different attacks upon our posts. But they were soon repulsed, with the loss of four hundred men. This was the last attempt made to succour the Moro. Yet, though abandoned by the city, though undermined by the enemy, it held out with a fallen resolution, and made no proposal to surrender. At length the mines were sprung, and filled up part of the ditch with the blown-up wall. The breach, though narrow and difficult, was judged practicable by the general and engineer. The troops, ordered on this most dangerous of all services, rejoiced that it was to be the end of labours much more grievous. They mounted the breach, entered the fort, and formed themselves with so much dextrous celerity, and cool resolution, that the enemies, who were drawn up to receive them, and might have rendered the assault an affair of great bloodshed, astonished at their countenance, fled on every side. Four hundred fell on the spot, or perished in the water. Four hundred more threw down their arms and obtained quarter. The second in command was killed, as he was making brave, but ineffectual efforts,

to rally and animate his troops. The governor, Don Velasco, who had defended the fort with such obstinate bravery, seemed resolved not to survive the loss of such an important place. He collected about a hundred men in an entrenchment, which he had made round his colours; and though his companions fled or fell, he disdained to retire, or call for quarter. He received a mortal wound, and sunk down, offering his sword to the conquerors.

This was a decisive advantage: the guns of the fort were turned against the town; and, though the sickness still raged like a pestilence, new batteries were superadded. When all these were ready to open, the governor was summoned, but he replied that he would hold out to the last extremity. He was soon brought to reason: in the space of six hours all his guns were silenced; and to the inexpressible joy of the army and fleet, every quarter of the town hung out flags of truce. A capitulation ensued, by which their religion, their laws, and private property, were secured to the inhabitants. The garrison had the honours of war: the town, with a district, extending a hundred and eighty miles westward, was yielded to the victors.

This was an acquisition of the first class: it united in itself, all the advantages, that can be acquired in war. It was a naval victory of the highest nature, by its effect on the enemies marine; and in plunder, it equalled the produce of a national subsidy. Besides frigates and merchantmen, fifteen ships of the line, a whole fleet, were taken or destroyed. In ready money, in tobacco, and other commodities, the booty did not, perhaps, fall short of three millions sterling. So lucrative a conquest was never before made. The *Hermione* too, a register ship, worth a million sterling, was taken from the same enemies, and straitened their finances. Though these rich captures gave no direct relief to the British nation; yet, they supplied those immense drains of specie, foreign subsidies and foreign armies.

These advantages, however great, were not the only ones, which we gained over the Spaniards. They received

ceived another blow, which, had the war continued, might have proved fatal to their power in the South-Sea. Colonel Draper projected an expedition against the Philippine isles. His plan was approved of by the ministry, and he sailed for Madras, where he took the command of two thousand men, fitted out at the expence of the East India Company. Admiral Cornish brought him in sight of Luconia on the nineteenth of September, the time at which the Monsoons begin to shift. This circumstance, together with the confusion of the enemies, from their having had no intelligence of the war, which had broke out between the two nations, induced the commanders to waive every inferior object, and to make an immediate attack on the city of Manila. The fleet having removed every obstacle to their landing, they gained the shore, and advanced to the city, which they found regularly fortified. On a nearer approach, the ditch appeared in some places incomplete; the covered way was out of repair, and the glacis was too low, some of the outworks were not mounted with cannon, and the suburbs afforded shelter to the besiegers. All these favourable circumstances were improved to the utmost advantage by the skill of the leader. The place was so extensive, that it could not be completely invested by such a small body of men, so that its communication was entirely free with the country, which poured in to its assistance ten thousand natives, a fierce and daring race, as remarkable for their hardiness and contempt of death, as most of the other Indians are, for their pusillanimity and effeminacy. Had it been the interest of the Spaniards to have taught them the use of arms, Manila would have been impregnable. Before the batteries could be compleated, four hundred of the enemies made a sally; but they were repulsed with great loss. The superiority of our troops in this action was so great, that the commander thought it a favourable opportunity of summoning the town to surrender. But the archbishop, who united

united in himself the clerical and military characters, would hearken to no terms. The works were therefore battered night and day, with unremitting ardour; while the barbarous and cruel Indians molested, rather than retarded our operations. In order to accelerate the progress of the land forces, the navy on the opposite side, attacked the town, and divided the attention of the besieged. But a storm soon drove it out to sea, and the archbishop declared, that an angel had gone forth from the lord, to destroy the English, like the host of Sennacherib. But, in spite of the angel, of the archbishop, and of the tropical rains, which were more formidable enemies than both, the English completed their works, and on the cessation of the storm, proposed to batter in breach. In two days all their defences were completely ruined.

Seeing that there was now no other resource, they resolved to avail themselves of their superior numbers, and to make one conclusive effort. Two attacks were made in the night on our most important posts. A thousand Indians surprised a body of seamen, who had the chief management of the artillery; but though they rushed boldly on the very muzzles of our pieces, and on every repulse renewed their assaults with redoubled fury, the sailors received them with their own characteristic steadiness, and saw the savages perish, like wild beasts, gnawing their bayonets. Though the second attack, which was conducted by the Spanish regulars, did not prove so bloody to them, it ended with the same success. Such were the last efforts made for the defence of this important city. On the following day every gun of the attacked bastion was silenced, and the breach appeared practicable. Yet still no flag of truce was hung out upon the walls, no terms of surrender were offered. Without making any preparations to sell their lives as dear as possible, behind the breach, they held out with a sullen obstinacy, as void of manly spirit, as of military skill.

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The commander therefore prepared for the storm; and took every precaution to save the lives of such gallant troops. Under a general discharge of the artillery and the cover of a thick smoke, which blew directly in the faces of the Spaniards, they mounted the breach with the greatest spirit and rapidity, dispersed the opponents, advanced into the city, and completed the conquest. A hundred men, who were posted in a guard house, and would not surrender, were cut to pieces: three hundred more, endeavouring to escape, perished in a river. The archbishop retired into the citadel, but, as it was not tenable, soon surrendered at discretion. The laws of war would have justified the pillage of the city, but humanity pleaded in its behalf; its ruin would render the acquisition of less value to Britain, should she retain it at the conclusion of the war; and, an argument more powerful than all the rest, the general and admiral could plunder little more than two common men; whereas their share of the ransom would be immense. All these considerations, determined them to save this noble city, and to accept a million sterling, in lieu of all their expectations. Their lives, liberties and properties, their religion, and the administration of the civil government were secured to the inhabitants. With this place and the adjacent country, fourteen dependent isles were surrendered; and a register ship, which was soon after taken, made the whole treasure due to us from these conquests, a million and a half. The connection between the vast, but disjointed dominions of Spain, was broken, and a foundation was laid for monopolizing the trade to China and Japan, if not for a great empire. The arms of Spain were not more successful in Europe. The barrenness of Portugal, which renders the subsistence of friends or enemies difficult; the badness of the roads, the steepness and frequency of the mountains, and the narrow defiles with which they abound, made a rapid progress impracticable, and facilitated that defence, which alone the armed peasantry of

of that country can make. The Spaniards expecting little resistance endeavoured to penetrate by three different routes to Lisbon, the capital and center of the kingdom. One body under the Marquis of Sarria advanced from the north, and reduced with little opposition almost the whole province of Tralos-montes. But in attempting to pass the Douro it was repulsed with loss by the peasants, who are not destitute of courage, and are animated with the most sincere and inveterate hatred of the Spanish name. Another body threatened to invade Alentejo; but, before it could begin its operations, general Burgoyne, by the order of Count la Lippe, the commander in chief, surprised and attacked it with such success that many were cut to pieces, and many taken. Among the latter was the general, whose loss disconcerted the whole enterprize. The third division, which was to have preserved a communication between the other two, entered the province of Beira by the north-east angle, and being reinforced by the greatest part of the forces in Tralos-montes reduced the fortress of Almeida, the territory of Castel Branco, and other places as far as the banks of the Tagus. Its intention, according to all appearance, was to penetrate into the province of Alentejo, a campaign and fertile country, where the Spanish horse, their principal strength, might act with advantage, and open an easy passage to Lisbon, the center of all their views. Burgoyne, who had now joined the grand army, and lay in the neighbourhood to obstruct their passage, observing that they kept no very soldierly guard, and that their flank and rear were uncovered, conceived a design of attacking them by surprise. While he himself drew the enemies attention in one quarter, colonel Lee turned their camp in the night, fell upon their rear, slew a great number, and dispersed the whole body. He destroyed their magazines, and returned with little or no loss. This advantage being obtained at a critical time was attended with important consequences. The season was far advanced, and the

the roads became impassable through the heavy rains, which fell: so that the enemies, destitute of strong posts, and of magazines for the subsistence of their horse, retreated to the frontiers of their own country, where they might pass the winter in security. Thus did this mighty storm blow over! The Spaniards entered Portugal only to return upon their steps.

While the British arms thus triumphed in the southern parts of Europe, they gained equal glory in the northern. The French had this year two armies in Westphalia: one under Condé on the Lower Rhine: another in Hesse under Soubise and D'Etrees: Broglio had been removed, his ill success being construed treachery. The Hereditary Prince was posted in the bishoprick of Munster to watch the motions of the former; and Ferdinand in person lay with the grand army behind the Dymel to oppose the latter. The French were so advantageously situated near Grabenstein on the frontiers of Hesse that they had no apprehensions of the allies, who were so greatly inferior in numbers, and so widely separated, that it seemed impossible for them to unite in a general attack. Upon this security Ferdinand built one of the most judicious plans, which modern campaigns have exhibited. Luckner, who was posted near Eimbeck to observe Prince Xavier of Saxony, left a small party in his camp to deceive him, and in the night stationed himself without discovery on the rear of the grand army. Sporken made the proper arrangements for flanking the same wing; Granby prepared to attack their right, and Ferdinand advanced against their center. The preparations and the execution were conducted with so much judgment, order, and celerity, that the French did not perceive them, till they were furiously assaulted in front, flank and rear. The surprise was so compleat that from the beginning they thought of nothing but flight. Their right, under Castries, retired without much loss and in tolerable order; but their left and their center were not so fortunate. Ferdinand
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and Granby pressed upon them with such spirit and resolution that they would have been totally routed, if Stainville had not with the flower of the French infantry posted himself in a wood, and stopped the career of the victors. This body sustained for a considerable time the whole weight of the allies; but it fell a devoted sacrifice: all but two battalions were taken or cut or to pieces. The rest of the army fled precipitately beyond the Fulda, or took shelter under the cannon of Cassel. Nothing could be more glorious for the allied generals than this battle: their infantry amounted only to sixty battalions, while that of the enemies did not fall short of a hundred: yet they defeated them with hardly any loss, and gave them a blow, which they could not recover with all their efforts during the remainder of the campaign.

This great action was a prelude to a series of bold, masterly and well connected operations. While the enemies yet confounded with their late misfortune could not provide against any sudden accident, Granby and Cavendish at the head of a strong detachment appeared thirty miles behind them with an intention to cut off their communication with Frankfort, whence they drew all their subsistence. In order to frustrate this design Rochambeau encountered them at Hombourg, but his party, after a vigorous resistance, was dispersed. To the north of Hesse the allies were not less active nor less successful. They cut off the garrison of Gottingen from the rest of the army, and soon after obliged it to evacuate the place. The generals Zastrow, Gilsac and Waldhausen passed the Fulda under a heavy fire from a body of French, that was posted near Munden, and attacked it on all sides with such fury that it would have been totally destroyed, had not Stainville quitted his entrenched camp in the neighbourhood, and marched to its relief. Prince Frederick of Brunswick, attentive to this movement, seized the critical moment, entered his camp, and destroyed all the works; so that this whole wing, was obliged to fall back. The grand army, rather

ther than risque an engagement, quitted their advantageous situation on the heights of Mulsingen, and dropt all thoughts of maintaining their ground till the arrival of their army from the Lower Rhine, which by forced marches was hastening to their relief. In order to effect a junction they fell back a considerable distance behind the Fulda, and left Cassel uncovered.

Before this event took place, the Hereditary Prince thinking a fair opportunity offered of giving a severe blow to Condé, attacked a part of his army, that was posted at Johannisberg. At first his success was answerable to his expectations; he drove them from the heights, which they occupied. But as he pursued them into the plain, the main army came up suddenly upon him, and repulsed his troops with the loss of three thousand men. He was wounded in the hipbone; a circumstance, which greatly contributed to the disaster of his army, which was deeply concerned for his danger. Notwithstanding this blow, such was the generalship of Ferdinand that the enemies derived no advantage from their victory: they did not gain a foot of ground. On the contrary, with his inferior army he covered the siege of Cassel, which he had undertaken, and, after defeating all their schemes for opening the communication, obliged the garrison of ten thousand men to evacuate the place.

This was the last exploit performed by our army in Germany; the different troops of which it was composed gained great and immortal glory: the English particularly distinguished themselves, and shone superior to the rest. The conduct and courage of the generals and other officers cannot be sufficiently extolled: posterity will do justice to their merit, and set in their full light those virtues, which before the late peace had raised this nation to a state of envied greatness.

The French armies on the contrary lost much of their military reputation; and it is worth while to enquire how they came to be inferior to the troops of other nations. Several regiments being hereditary in
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great families damp the ambition of those, who would rise by distinguished military talents, and free the possessors from the necessity of learning the art of war by study or experience. The inferior officers serve, because it is the fashion: a campaign being thought necessary to finish the education of a gentleman, and to furnish him with a fund of conversation for the rest of his life. Their pay being small, their hopes little, they dispatch the business as a disagreeable task, which is no less dangerous to their estates than to their persons. The troops being full of these gay gentlemen, who have been accustomed to a free life, and in order to enjoy it are in a hurry to return to Paris, it is impossible to preserve due subordination, or to establish that rigorous discipline, which, however incompatible with liberty, is the life and soul of an army. The common men, corrupted by the example of their superiors, are by their negligence left without any restraint, and being little better than abject vassals are destitute of that high spirit, which in their gentry compensates the want of military skill and assiduity. Nor, to counterbalance this defect, are their minds, like the Germans, turned from their infancy to war, nor their bodies enured to hardships. Add to all these untoward circumstances that they were neither well paid, nor well clothed; and that the lowness of their finances aggravated these evils; as well as the vast train of useless mouths, which follow their annual officers, who stamp their own character of impatience on all the troops, who at the first onset are more than men, and at the conclusion less than women. These causes in conjunction with the malignant influence of a woman, the perpetual curse of monarchies, produced the losses and disgraces, which the French sustained in Germany. After having for six years exerted almost the whole undivided strength of their kingdom against Hanover, they were very little farther advanced than on the day, that they commenced their operations. The possession of two or three insignificant places was all that they had

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purchased with many millions of treasure and perhaps two hundred thousand lives.

The king of Prussia we left in a perilous situation: the possession of Colberg had enabled the Russians to winter in Pomerania, and, besides depriving him of any resources, which he might derive from that country, to commence their operations early in the spring, and to continue them with constancy and vigour. The taking of Schweidnitz had laid open Silesia to the Austrians, and put them in a condition to act in concert with their powerful allies. Nothing could save this magnanimous prince but a complete victory, which in his circumstances was not very probable; as his troops, finances and all other resources were worn away by a series of efforts not to be paralleled in the annals of mankind.

In the midst of this gloom a ray of light suddenly appeared: the empress of Russia, his inveterate and inflexible enemy, died, having invariably pursued the dictates of her resentment and interest in humbling the only sovereign, who by his power, character, and the situation of his dominions, was in a condition to prevent Russia from keeping Poland in a state of dependence, from commanding the Baltick, from overawing Germany, and being the terror of the North. The duke of Holstein, who succeeded her under the name of Peter the Third, was an extravagant admirer of the king of Prussia, and pitied his misfortunes. His family had been forced by the Danes to relinquish its pretensions to the dutchy of Sleswick; and, as his predilection for his native country was strong, as well as his antipathy to those, from whom it had sustained this injury, he resolved to employ the power, which fortune had now put into his hands, in doing it justice. Therefore, without using much ceremony with his allies, he agreed not only to a peace, but also to a restitution of all the Russian conquests, and to a junction of one part of his forces to the Russians, while the other acted against the Danes, for the recovery of Sleswick, Sweden,

Sweden, which had been long swayed by Russian councils, followed his example.

The king of Prussia did not fail to improve this favourable turn of fortune. His brother, Prince Henry, who commanded the army in Saxony, made a vigorous attack upon the Imperialists, and took three hundred and sixty five waggons and four thousand men prisoners. This signal advantage, which was obtained early in the spring, obliged the Austrians to weaken their army in Silesia in order secure what they possessed of Saxony, and to prevent irruptions into Bohemia. As soon as the king was reinforced by the Russian auxiliaries he attacked several of Daun's posts with various success; and at last obliged him to retreat to the frontiers of Silesia, and to leave Schweidnitz uncovered. Yet still, though that was the object of his last movement, he could not prevent parties of Prussians and Russians from penetrating into Bohemia, and laying it under contribution.

While he was thus engaged in retrieving his affairs, fortune seemed once more inclined to turn her back upon him. The first acts, which distinguished the reign of his great friend and ally, Peter the Third, were extremely popular and auspicious. He set the Russian nobility and gentry free, and granted them all the privileges and immunities, which are enjoyed by those of their rank in other moderate governments. He recalled most of the exiles, he abolished some tyrannical jurisdictions, and to the great relief of the poor lessened the tax upon salt. But this happy dawn was soon overcast. He manifested too great a regard to foreigners, to the neglect of his nobility, and affronted the soldiery by introducing the Prussian uniform preferably to the Russian, in which they could not help thinking that the glory of the empire had been duly supported. He disgusted the people by sacrificing all their late conquests to the interests of his dutchy. But his innovations in religious matters were still more imprudent and alarming. He seized upon all the revenues

of the church, and in their place allowed the clergy mean pensions according to the dictates of his capricious fancy. He ordered that churchmen should be no longer distinguished by beards; an ordinance very offensive to their gravity. The images and pictures in their churches he subjected to certain regulations, which gave them reason to apprehend that he proposed to effect a total change in the religion of the empire, and to introduce Lutheranism, for which he was known to entertain a partiality, though he had conformed to the Greek worship for the sake of the succession.

While without the support of personal esteem or national prejudice he thus offended his grandees, affronted his army, and enraged the clergy, he had not the good fortune to live in union with his own family. Having long slighted his consort, a woman of a masculine spirit, by whose councils he might have profited, he lived in the most publick manner with the countess of Woronzoff, and seemed devoted to her with so strong a passion, that it was apprehended he would throw the empress into a convent, and raise his mistress to the throne. What gave a colour to this suspicion was, that, contrary to the positive constitutions of the empire he had neglected to declare his son the successor: an omission, which in a country, where the law of succession is fixed and regular, would have been of little moment, as the observance of it would rather have betrayed a doubt of the title: but which from the fluctuating, unstable nature of this government was really alarming.

Thus did this weak, but well-meaning prince introduce in a few weeks more new regulations than wise and cautious sovereigns will attempt in the whole course of a long reign. Trusting to that absolute power, of which he thought himself possessed; but which the frequent interruptions in the line of succession, and the violent but not yet perfected change of manners, had rendered extremely precarious and dependent on the affections of the people, he imagined himself capable of completing

completing the plan of reformation, which Peter the Great had begun. Stimulated by the example of his idolized king of Prussia he burned to become a legislator and a conqueror, never considering that his violent attachment to that prince, with whom the nation had waged a long and rancorous war, excited the indignation of his subjects, who could not conceal their contempt, when they saw him debase his dignity by soliciting a command in the Prussian service, and upon obtaining it display all the marks of an immoderate and puerile satisfaction by wearing the uniform, and making a magnificent festival.

The empress, little solicitous for the prosperity of a man, who had long ceased to be a husband, set up an independent interest in favour of herself and her son. She caressed the military, flattered the nobility, respected the clergy, cultivated the affections of the people, and showed a veneration for their religion and manners in the same proportion that the czar seemed to despise them. The consequence was that a general conspiracy was formed to dethrone him; and so ill was he served that he remained in perfect security and ignorance of the whole design, while the senate and clergy were assembled to pass the sentence of his deposition. The empress, who seems to have been privy to the whole scheme, appeared immediately before the Russian guards, and after haranguing them was declared their sole and independent sovereign. Having received the congratulations and the oaths of allegiance of all ranks she marched at the head of her troops in quest of her husband, who, good easy man! was indulging himself with his mistress in indolent amusements at a pleasure-house by the sea shore. When a common soldier informed him that he was no more a sovereign, he seemed thunderstruck. Recovering from his trance he thought of defending himself with his Holstein guards; but, though conscious of their fidelity, he doubted their strength. What resource then remained? flight alone. This late lord of mighty

fleets and armies embarked in a small vessel, and rowed towards Constadt in order to make his escape to Holstein, where he proposed to wait a favourable turn in the tide of fortune. But finding that he was blocked up on every side, and entirely at the mercy of his enemies, he returned to Oraniebaum, and after some tumultuous deliberations resolved to throw himself on the compassion of the empress. He found none: though she had been treated with lenity by him, she did not chuse to copy his lesson. Notwithstanding his voluntary abdication she would not consent to any of his proposals, much less to that of allowing him to retire to Holstein with the countess of Woronzoff. Not satisfied with enforcing him to subscribe an unconditional resignation of his crown, she obliged him to be the murderer of his own reputation by inveigling him with the vain hopes of life to sign a paper declaring his full conviction of his inability to govern as a sovereign or in any other capacity, and his thorough sense of the misfortunes, which the continuation of his authority must have brought on the empire. These ceremonies being finished, his sword was seized, and he was conducted to prison; where according to universal expectation he perished. The disorder, of which he died, was called an hemorrhoidal cholic; but it seems to have been of that sort which completed the tragedy of our Edward the second.

Nothing can more strongly mark the barbarity of this nation than that they could submit to the government of a woman, who was capable of such a deed. Stained as she was with the blood of her husband they constituted her absolute mistress of their lives and fortunes: an elective monarch they made the most despotick sovereign in the world. In order to give some colour to her proceedings, and to lessen that odium, which in any other nation would have shook her throne, she blackened the memory of the unfortunate prince with imputations of the most atrocious nature. Among other enormities she charged him with a design of dis-

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patching herself by murder. Her manifestos were at the same time filled with violent professions of affection to her subjects, of regard to their interest, and veneration for their religion; and they breathe such fervent and sincere strains of piety as must prove extremely edifying to those, who are thoroughly acquainted with the pure sentiments of religion, by which great princes are on such occasions animated. She gave satisfaction, however, to the Russians. She dismissed all foreigners from her service, and bestowed her confidence and favours on the natives. She sent home the Holstein troops, and revived the Russian uniform, with new lustre, appearing in it herself in publick. Throwing herself entirely on the affections of the authors of her elevation, she restored to the clergy their possessions and their beards.

As her domestic government was diametrically opposite to that, which Peter had adopted, as the revolution was supposed to have been produced by the machinations of the powers, whom he had irritated by his defection, and as no cordiality could be imagined to exist between the empress and the king of Prussia, for whom her husband had discovered so strong a prepossession, it was apprehended that this wonderful man had only emerged from a sea of troubles to be plunged into an abyss of despair. But the empress, who knew that the violent changes made in the empire by Peter the Great, had left behind them the seeds of insurrections and revolutions, did not think her authority firmly enough established, for the prosecution of the war. When, upon searching among the czar's papers, for the Prussian monarch's correspondence, it was found, that he disapproved of his violent measures, that he had counselled him to be tender of his consort; to desist from his pretensions to Sleswick, and to attempt no alteration in the religious and civil laws of his country; the empress, however little given to the melting mood, relented; and the senate's resentment and animosity abated. The army in Prussia had re-

ceived orders, which seemed to indicate the renewal of hostilities: they were countermanded; and assurances were given to the Prussian ministers, that the perpetual peace, lately concluded, would be inviolably observed. Though the Russian armies were recalled, and separated from the Prussians, all the conquests, which they had made with so much difficulty, so much expence, and bloodshed, were faithfully restored.

As this change, from a strict alliance to a cold neutrality, might inspire the Austrians with hopes, the king of Prussia resolved to avail himself of his allies, at the very moment they deserted him. While they were yet in his camp, he attacked the right wing of Daun's army, and drove it from the heights of Buckerdorff, with considerable loss. This advantage, which the apprehensions of the joint efforts of both armies secured him, cut off entirely Daun's communication with Schweidnitz, which was now invested before his face. Excellent dispositions were made for protecting the convoys, for guarding Silesia, for covering Schweidnitz, and for preserving the communication between the different posts. Daun despairing of success against the army commanded by the king in person, endeavoured to break the chain, by detaching Laudohn with a superior force, to dislodge the prince of Bevern, who was strongly posted near Cosel. But, notwithstanding all the vigour and celerity of this brave officer, the Prussian general, mindful of the disgrace, which he had formerly incurred in this province, opposed him with such spirit and constancy, that the king had time to come to his relief. The Austrians were then put between two fires, and routed with great slaughter. This was the last attempt made to succour Schweidnitz: the garrison, after a long and brave defence, surrendered prisoners of war; and all Silesia was, in consequence, evacuated by Daun.

In Saxony, the Imperialists began to act with great spirit; and they obtained several advantages over prince Henry: they pushed him back as far as Freyberg.

berg. But here fortune, which has seldom proved long constant to their arms, entirely forsook them. The united armies of the Imperialists and Austrians, were totally routed. Vast numbers were slain, and there were taken two hundred and forty officers; thirty pieces of cannon, several standards, and six thousand common men. The victory was complete, and it was improved to the utmost advantage. The Austrians had imprudently agreed to a cessation of hostilities in Silesia and Electoral Saxony, without including any other territory. One body of Prussians seized this opportunity of breaking into Bohemia, of reaching almost the gates of Prague, and destroying a capital magazine. Another invaded the same country in a different quarter, and by a bombardment, and cannonade of red hot bullets, reduced the town of Egra to ashes. Some extended themselves all over Saxony; others penetrated to the very extremities of Franconia. and even as far as Suabia, pillaging the country, exacting enormous contributions, and spreading confusion and terror on every side. The diet of the empire did not think itself secure: it began to fly, and to remove its records. The city of Nuremberg was obliged to pay two hundred thousand pounds sterling, to save it from being plundered. In short, the Prussians raised in this expedition, a sum equal to the annual subsidy, which they received from England in former years, and shewed to the empire, that it had no less to fear from the vengeance of Prussia, than of Austria. This consideration, and the fear of farther ravages, determined several states to agree to a neutrality, and to withdraw from a confederacy, which was no longer able to afford them protection. Such were the last exploits of the Prussians in this war: the time was now come, when they were to enjoy the fruits of their fortitude and heroism, and to wear in security those laurels, which they had acquired, by deeds seldom equalled, and never exceeded, by any nation.

Experience

Experience having now convinced France, that the present was not a favourable conjuncture for deriving from the family compact all those advantages, which she had figured to her imagination, she inclined seriously to those pacific sentiments, which she had formerly counterfeited. The slow progress of the Bourbon arms in Portugal, the retrograde motion of the French troops in Germany, and the conquest of Martinico and its dependencies, determined her to this measure, early in the summer. When the Havannah was reduced, when the troops sent to retake Newfoundland, were made prisoners of war, and when the great armies on the continent were finally baffled, both branches of the Bourbon line embraced this resource as the sole means of saving themselves from ruin.

England, though able to carry on the war, was not averse to peace; because she was not intoxicated with her success. Victory was become so familiar to the people, that it could no longer dazzle their eyes. The most trivial advantages were, at the beginning of the war, received with more cordial joy, than was now expressed on the most signal conquests. But though all ranks desired peace, they desired it honourable, lasting, and adequate to our successes. They did not wish, by a precipitate compromise, to see the nation's permanent interest sacrificed to its immediate ease. On the contrary, they were willing to continue the struggle, till the humbled enemy acquiesced in such terms, as the conquerors might justly impose.

Unfortunately for the kingdom, the men, who now directed the helm, were not ruled by the voice of the people, but by narrow, selfish maxims, which they had learned in the school of corruption. They were unanimous in banishing Pitt from the council, because they liked neither his person, nor his politicks. They thought his morals too rigid, his manners too austere, and his authority, which he derived from his popularity, too great to be endured. Upon his removal, they seemed to breathe more freely, and to have thrown off

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an oppressive burden. But they were soon undeceived. The duke of Newcastle, whose family had long managed the state without controul, had in a course of long service, and a succession of great employments, attached to his interest, some of the most considerable people in the kingdom. The obligations and favours which he had conferred, had established his power in the parliament, and among the moneyed gentlemen, so firmly, that it was no easy matter to shake it. The ridiculous part of his character strengthened, rather than weakened his authority, as it rendered his power less formidable. Sensible of his own strength, and imagining that Pitt was the only obstacle to the recovery of the same despotick sway which he once exercised under the late sovereign, he entered cordially into the scheme, by which that great man was displaced. Not aware that he did not enjoy the royal confidence, which is so necessary to the full exercise of ministerial power, he fondly imagined, that he could, by his connections, controul the sovereign, as Pitt did by his popularity; and that lord Bute, who had that advantage, would be content to act a secondary part. Not sufficiently attentive to the all-grasping spirit of a favourite, nor indeed to his own lust of power, which might have taught him better, he never dreamed that this nobleman would be so rash and ill advised, as to thrust himself into the first office of state, before he could be hardly known, much less trusted by the publick. When the event convinced him of his error; when he found his influence gone, and his high rank disgraced by a thousand mortifications, he resigned, fully satisfied that the good correspondence, which had formerly subsisted between him and lord Bute, was produced by their common dread of Pitt. The new minister, who began to introduce the practice of pensioning every one that was dismissed, offered him five thousand pounds a year: but he refused this bribe for his forbearance. Whether his refusal proceeded from disinterestedness, from contempt for the donor, or from the hopes of resuming

resuming his place, it is difficult to determine: but whatever the cause was, we could wish that other ministers had imitated his example, and not increased the debts and incumbrances of their country, by accepting mean and scandalous alms. If they must be maintained by the publick, let them be maintained at a less expence: let alms-houses, or hospitals, like those of Chelsea or Greenwich, be erected for the reception of broken courtiers and discarded ministers.

Many persons of high rank and influence following this example, threw up their employments, and exasperated that ill humour, which the dismissal of Pitt had produced among the people. The promoters of the Hanoverian succession, and the supporters of the plan of liberty adopted at the revolution, were in general disgraced; and the few, who retained their places, neither trusted, nor were trusted. That party, who would willingly be distinguished by the name of country gentlemen, and were formerly called tories, seized the helm of state, and directed national affairs. Since the accession of the present royal family, they had been never consulted by the sovereigns, and had therefore joined every opposition, pretending that the good of the realm was the sole motive of their conduct. This circumstance procured them some degree of popularity, and naturally threw them into the interest of the present king's father, when he was at variance with Walpole and his associates. The influence then acquired, they cultivated with the greatest assiduity, and, as might reasonably be expected, found means to insinuate themselves, after his decease, into the good graces of the heir-apparent. The universal and just contempt, into which the exiled family was now fallen, and the firm root, which the house of Hanover had taken in the island, contributed not a little to their success. As all fears of competitors for the crown were now removed, the point was to restore the prerogative to its ancient splendor, and to indulge the love of unlimited power, which is equally natural to all families, and which a favourable opportunity never fails of bringing
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to light. What could be more conducive to this purpose, than committing the reins of government to men, whose predilection for monarchy has always rendered them as necessary to the views of established families, as the whigs have ever been for their introduction? Their unconstitutional principles, their arbitrary maxims, their obsequious and ductile temper at court, their haughty and overbearing behaviour to the people, pointed them out as the proper ministers for extending the regal power to an equality with that of foreign potentates, whose uncircumscribed authority, no limited prince can behold without envy. Far be it from us to insinuate, that our gracious sovereign harboured any such dangerous design: the public is convinced of the contrary. We owe this dark scheme to the counsels of a great lady, who, to the misfortune of the realm, dictated to the legislature; and introduced this party, under the pretence of abolishing all odious distinctions, and extending to all subjects an equal share of the royal favour. But it was soon found, that instead of participating, they engrossed all power, and made every grace pass through their channel. The whigs, who had long monopolized the whole authority of the state, could not endure this partiality, nor see others possessed of what they thought themselves best entitled to, both by their services, and by the favour of the public, whose voice no wise prince ever neglected. Interest and ambition coinciding to enflame their minds; they alarmed the public, whose apprehensions had been sufficiently excited by the change itself, without any additional fuel. Personal resentments, factious violence, and local prejudices, were all united to throw the nation into confusion and distraction.

To a ministry thus suspected and hated, the conduct of a war was difficult, the ancient and known connection between the chiefs of the opposition and the monied interest, rendering the supplies as uncertain as the events of the campaign. Their failure would be construed incapacity; and their success would be converted into an argument for unreasonable terms of peace.

peace. They were sensible of their slippery situation; yet, rather than relinquish the prospect of riches and honours, which lay before them, they resolved upon terminating the war, and concluding a peace more lucrative to themselves than to their country. As excuses, they alledged not only the burdens of the war, but its successes; not only the doubtful state of Portugal, but the flourishing state of Prussia. They pretended that it was full time to suspend hostilities and to consult the interests of humanity; when all the original purposes of the war were answered, and territories now were conquered, both for perpetual possession and restitution. For they had determined among themselves, that it was now become a maxim for a victorious nation to make considerable cessions, in order to purchase the forbearance of the vanquished.

Both courts being thus equally sincere in their advances to peace, no wonder if all difficulties were soon removed. As a surer pledge of mutual faith, two persons of the first rank in both nations, were appointed ambassadors, the duke of Nivernois on the part of France, and on the part of England the duke of Bedford, a nobleman equally remarkable for the elegance of his manners, the politeness of his address, and the depth of his politicks. This treaty was founded on the last negotiation, which our ministers had neither the sense nor spirit to improve; for it is in many respects worse, but in no respects better.

As our great ally the king of Prussia was now become formidable, since he had almost annihilated the army of the empire, and acquired great advantages over the Austrians, the British ministers readily agreed to drop his alliance; the French being equally inclined to withdraw their assistance from the empress queen, and to evacuate all their German conquests, without exception. After they had fully resolved on peace, this step was by no means blameable, as the Germans never talk of suspending hostilities, while they

they have supplies of foreign gold. They were less excuseable in having at the beginning of the year offered to continue the Prussian subsidy, and refused to renew a less material article, that of concluding no peace without the king of Prussia's consent. All men of political sagacity thought it a strange piece of state craft, to desert an ally at the very moment, when he was likely to be in a condition to give us effectual assistance, and to turn the balance in our favour against France. Such were the politicks of the time! But time will show, that to preserve the balance of Germany in its present state, will be prejudicial to Britain, and that it ought at that period to have been turned as much as possible in favour of the natural protector of the protestant interest in that country. Indeed there is no occasion to appeal to future events to prove this observation, for if we take a just view of the matter, we shall find it justified by past experience. For to what did we owe the burden of the Austrian and Prussian subsidies in the two last wars? To the too-equally balanced power of Austria and Prussia. When the house of Brandenburg was weak and inconsiderable, we were exposed to no such enormous expence. What then can be more rational than to bring Germany back to its ancient state? What more politick than to prefer a protestant to a catholick power? The affairs of Portugal were settled with equal ease: all its territories were evacuated without distinction. The boundaries of America were ascertained with the utmost exactness: a line drawn along the middle of the rivers Mississippi, Iberville, the lakes Maurepas and Pontchartrain, to the sea, separate the possessions of the two nations; the extensive, but barren sands of Florida, being exchanged for the Havannah, and our expectations of the Philippine isles. The French were, according to the treaty of Utrecht, allowed to catch and dry fish on the banks of Newfoundland, from Cape Bonavista to Point Biche; and the islands of St. Pierre and Miquelon were ceded to them, together with the liberty

liberty of fishing within three leagues of the coast in the gulf and river of St. Laurence. Spain desisted from her claim to any fishery in those seas. In the West Indies we retained none of the conquered islands but the Grenades; Tobago, Dominica, and St. Vincent being our own ancient possessions, and of little value. We had an old claim to St. Lucia; but it was relinquished. Spain pledged her word that we should not be molested in cutting logwood, and that is all the security which was stipulated by our wise minister. The differences about the capture of Spanish vessels in time of peace, were left to be decided by the English courts of admiralty. In Africa, Goree was restored to the French; and in the East Indies, whatever had been conquered. All mention of the French prizes was prudently omitted. The island of Belleisle was exchanged for Minorca, and Dunkirk was to be dismantled. The Family Compact passed without the least notice!

That we may be able to estimate properly the merits of this treaty, it must be remembered, that there are four things which determine whether a peace be good or bad. These are the alliances which it procures, the indemnification which it makes, the permanence which it promises, and the necessity which forces its acceptance.

The first head needs little discussion. The peace brought us no new ally; but it deprived us of the only one, that we could boast; and then we stood friendless in Europe. Such was the system of politics embraced by these ministers! Our ancestors grew great by another.

In the second ingredient of a good peace, this treaty is no less defective: it affords no compensation. All our acquisitions hardly produce a revenue sufficient to defray the expence of their establishments; much less any aid towards the reduction of our debts. A good ministry, instead of restoring Goree, would have, for this purpose, insisted on the renewal of the assiento, or contract

contract for supplying the Spanish West-Indies with negroes. We had as much right to demand it as at the treaty of Utrecht, and we had incomparably more in our hands for its purchase. What floods of treasure would have poured in upon the kingdom, from this source! Proper management would have directed its course into a publick channel, and replenished an exhausted exchequer. Such a capital stroke in politics would have been of infinitely more service than all the tricks of finance, and the boasted schemes of oeconomy, by which some narrow-minded statesmen would bring a few pepper-corns into the treasury. But the peace-makers, not satisfied with neglecting this essential point, retained neither Martinico, nor Guadaloupe, which would have greatly increased our duties, our trade, and navigation. Through the want of sugar-land, the English are greatly inferior to the French in this lucrative branch of commerce: they are not only beat out of foreign markets, but suffer all the inconveniencies of a monopoly at home. The retention of either island would have removed these disadvantages, and withal ensured us a certain, speedy and considerable supply. And, what is not to be forgot, our acquisitions upon this plan would be double their intrinsic value, as France must lose whatever we gained: whereas, in North America, the encrease of our trade cannot diminish that of the enemy. Indeed the cession of these territories will not only hurt us by the loss of the direct trade to themselves, but by the loss of that trade, which, were they in our hands, we must necessarily carry on with Africa for slaves, and with our American colonies, for provisions and other necessaries. All these advantages will now center with our rivals. We must not listen to those visionary statesmen, who would persuade us that America is abundantly able to supply all the deficiencies of our trade in other parts of the world. If the variety of its climates, and the encrease of people, should ever put it in its power to furnish us with every West Indian commodity,

modity, and to purchase all our manufactures, that æra is too distant to answer our present necessities. But who does not see that long before that period, America will, like all the powerful colonies that ever existed, shake off its dependence, and make us regret that we totally exterminated the French, and rendered our protection no longer necessary? Extensive territories, and numerous subjects, are undoubtedly desirable objects to a nation that would be great and powerful: but let them be subject; let them be, like the West India islands, incapable of subsisting without the assistance of the mother country.

The determination of the second point, necessarily determines the third. For how can a peace, that restores the most valuable possessions, and consequently the strength of a rival, be permanent? The Newfoundland fishery is yielded in a much more extensive and unlimited manner, than it was granted by Pitt. As if our ministers were resolved to leave room for chicanery and contention, the French are allowed to fish within three leagues of the coast, in the gulph and river of St. Laurence. What armaments, what expence, what vigilance, can secure the observation of this article? It must be as fertile a source of quarrels and complaints, as the fishery itself will be an excellent nursery of young seamen, to man, in due time, their West India fleets, or to render their navy formidable. It is idle to pretend, that the good faith of France is secured, by our possession of the continent, because it furnishes these islands with provisions. The events of the last war prove the reverse. Martinico made as stout a resistance, as if the French had been still masters of Canada: it was supplied with provisions from other quarters. The defenceless and naked condition of our logwood cutters must be equally productive of war; for it is not words, but the power of repelling force by force, that can prevent hostilities. The king of Spain pledges his royal word, that the logwood cutters shall not be molested. Did ever negotiators

negotiators accept of such a ridiculous security ! Pitt insisted on the acknowledgement of our right to this branch of commerce, and declared that, before he would relax on this, or any other article, he would see the tower of London taken sword in hand. But he, alas ! no longer directed our councils : else the family compact, the most odious and formidable conspiracy, that ever was formed against the liberties of Europe, would never have been passed over in silence. We had materials in our hands to break the whole fabrick in pieces, and to destroy forever, a combination, which is particularly designed against this kingdom. Instead of firmly pressing this point, our ministers recognised the compact in all its parts. For our plenipotentiary, with the knowledge of his principals at home, treated with those, who managed the interests of the two crowns, as if they had been one ; the Spanish minister receiving his instructions, not from Madrid, but from Versailles, which saw the whole Spanish monarchy melted down into its cabinet. In order to consolidate and strengthen the friendship, which existed between the two courts, they allowed them, contrary to the treaty of Utrecht, to make exchanges in the West Indies. After duly considering all these circumstances, what reason have we to think that the peace will be lasting ?

But perhaps, we were under a necessity of concluding a peace. ? Perhaps all our resources were exhausted, while those of France were still fresh ? Such was the language of the peace-makers ; but with what justice let the state of our trade, shipping, manufactures, and revenue declare. It appears from the custom-house books, that our foreign trade, the cause and measure of our domestick trade, was encreased more than one-fifth above what it had ever been in any former period. The British shipping had likewise encreased : it amounted to ninety thousand tons more than in the best year of the peace, and sixty thousand tons of foreign shipping were added. The whole annual bal-

lance of our commerce with foreigners and with our colonies, exceeded four millions sterling. How then could our manufactures have decayed, except trade can be carried on without commodities and manufactures? The fact is, that they had not decayed, but flourished beyond their usual extent, as may be proved from the entries, in various parts of the kingdom. Could then our manufacturers emigrate, and desert to foreign countries? That is impossible, for manufactures require hands. Indeed, why should they emigrate? To be better payed, fed or clothed? It will be difficult to find a country, where they can enjoy these blessings in so large a proportion as in England. But, perhaps they deserted us in order to live cheaper? That may possibly be granted, when it is shown, that by living cheaper, any more is meant, than that the same quantity of labour will procure more of the necessaries and conveniences of life in one country than in another, and that any country is superior to England in that respect. It will be difficult to persuade our common people that they have worse houses, worse fires, worse clothes, worse provisions than a French manufacturer. Why then should they emigrate? The truth is, that none had emigrated, but such as had been decoyed by high premiums, and the prospect of becoming of journeymen, the heads of large and flourishing manufactories: a thing, which will happen to every country, famous for excellent workmen. As our manufacturers had not deserted, so neither had our revenues from consumption decreased. The two daring taxes laid successively upon malt and beer, objects, which before had been immensely loaded, did not impair the consumption: on the contrary, it grew under them. How then can it be pretended, that we were in want of men to carry on the war? An increase of revenue and trade is a proof of an increase of people. The difficulty and expence of recruiting our armies, arose more from the additional hands then employed in our increased trade, than from depopulation?

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But perhaps, France was in a more flourishing condition? Perhaps, her superior riches and credit rendered peace necessary? Nothing can be more groundless. Her trade was almost annihilated. She had hardly any ships at sea, but privateers. Her manufactures must therefore have decayed, her people decreased, and her revenue dwindled away. As a proof she had turned bankrupt. Still however she borrowed: but she borrowed at exorbitant interest. Her credit, though low, was not entirely annihilated. The interest of her debt, great part of which was unfunded, amounted to seven millions sterling. Her stocks sold for little more than half their original value, and her supplies were greatly inferior to the demands of government. Her people were reduced to the utmost distress and despair, by the number and weight of their taxes. Nothing can exceed the moving complaints of their parliaments on this subject: they show that, had it pleased our ministers, we might have forced them to accept any terms of peace. Spain, their last hope, was now incapable of replenishing her own coffers, much less of repairing their exhausted finances. Her communication with South America, the source of her wealth, was cut off: great part of that wealth was seized, and the road was open and easy for the seizure of the remainder. Having failed in her first attempt upon Portugal, when surprised, naked and unprepared, she had little prospect of success against that kingdom, now that it stood collected in itself, revived by restored discipline, and successful resistance.

What then could induce our ministers to conclude such an inadequate, insecure, and inglorious peace, when all our enemies lay prostrate at our feet? What but humanity, which would not allow them to ruin those enemies, who had never spared us? Instead of taking advantage of the conquest of the Havannah, which the French and Spanish ambassadors thought decisive of their fate: instead of humbling the house of Bourbon for ever, and giving it the finishing blow,

they allowed it to rise once more, that we might once more have the glory of spilling oceans of human blood, and conquering it, if we can. What a christian disposition! what heroick courage! They nursed in their bosom vipers, whose stings will be mortal to Britain.

Peace being thus restored between the two great powers, whose treasures fed the German war, it was reasonably expected that the empress queen and the king of Prussia would soon accommodate their differences. The superiority acquired by the Prussians at the latter end of the campaign, determined the Austrians to this measure. Matters were accordingly adjusted at Hubertsburg, and a mutual restitution and oblivion took place, each party sitting down contented, with what it possessed at the beginning of the war. It is surprising to some people, that those states, which had suffered most, by the actual ravages of war, should be the last to lay down their arms. But let it be remembered, that their burdens, however oppressive, were temporary. The king of Prussia had not contracted a shilling of debt, nor had the empress queen greatly anticipated her revenues. Though more deficient in pecuniary funds than any other great sovereign in Europe, she is better able to subsist, and to make considerable efforts without them. Her dominions are extensive, fertile and populous; and many of the inhabitants are not sufficiently employed in the arts of peace. By long habit the whole state is formed to its necessities; the subject is accustomed to endure military licence, and to grant without reluctance free quarter to the army, which, like the ancient Germans, has a plentiful table in lieu of pay. The people in general are soldiers, and war is in some measure their natural state. She is an absolute prince; and yet her authority is not more extensive than the love and reverence, which are payed her by her subjects. Hence some idea may be formed of those resources, which enable
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the house of Austria to be always the last of the belligerent powers that thinks of peace.

(1763) The war, however, being at length terminated, the different powers, who had been engaged in it, began to cultivate the arts of peace, and by the encouragement of agriculture, trade and population, to prepare for a new war. The British ministers divided their conquests into the governments of the Grenades, of Quebec, of East and West Florida; the islands of Cape Breton and St. John being annexed to Nova Scotia, and all the sea coast as far as Hudson's streights being subjected to the immediate direction of the governor of Newfoundland. How the government of Quebec came to be reduced within its ancient limits, it is not easy to determine: if it was not that they wanted to diminish the fur and peltry trade; the principal advantage, which we could propose to reap from the possession of that country. Under the Spaniards Florida could but ill support one governor: our ministers, notwithstanding all our debts, notwithstanding all their boasts of oeconomy, found it capable of maintaining two. Placemen were to be provided for at the expence of the colonies, when they could afford it; but in this case at the expence of the English exchequer. Every opportunity of creating dependents was seized: every opportunity of benefiting by our extensive acquisitions, and of proving the justness of those reasons, which dictated the cession of the West India islands in preference to any of the American conquests, was neglected. Instead of parcelling out into new settlements the vast and fertile countries on the Ohio and Mississippi, our wise ministers forbade the colonists to make any purchases in those parts, and even to relinquish the lands, of which they had already taken possession; reducing by these means our colonies to narrower bounds, annulling the charter of the Ohio company, and precluding the whole nation from the use of those rich lands, which were so much wanted. For, though the present extent of our colonies be very great, the

quantity of serviceable land, which they contain, is but small; and it is already much exhausted by the cultivation of tobacco, the most consumptive of weeds. What then could have been more politick, nay more necessary, than cultivating the lands on the Ohio and Mississippi? After bearing hemp and tobacco for a considerable series of years, they would produce wine and oil for ever. It was in vain that some planters demonstrated the utility of these improvements. Deaf to their suggestions and to the calls of honour, which seemed to demand these steps as proofs of the wisdom of that plan, which sacrificed every thing to America, the ministers resolved to enjoy the benefits of peace by taking as little trouble as possible. They saw the difficulty of adjusting the claims of the different colonies, and ascertaining the boundaries of their respective territories. They cut the knot by dismissing the affair without any notice. Perhaps they were afraid that such settlements would interfere with the interest of the planters of Virginia and Maryland, and force them upon sowing corn instead of planting tobacco? Nothing could be more absurd or chimerical than such a fear: these were the very men, who wanted grants of land in the proposed countries.

What then could induce the ministry to neglect such a beneficial scheme? The fear of giving offence to the Indians, and forcing them into a confederacy against us? If their moderation proceeded from this source, it did not produce the intended effect. The Indians seeing the French power, which balanced ours, annihilated, and chains of forts, which commanded and overawed the whole continent, possessed by our troops, began to think that they ought to have made more early efforts for checking our progress. They were confirmed in this opinion, when they found encroachments made upon their hunting grounds by open invasion as well as by fraudulent bargains. And when, through the imagined security acquired by our success, all decorum was disregarded; when the usual presents

were

were omitted, and when a report was spread that a plan had been laid for their total extirpation, they did not hesitate: they took up the hatchet. The Delawars and Shawanese, who, as the cultivation of Pennsylvania advanced, had retired, and settled upon the Ohio, were the ringleaders in this war. They had been very zealous in the cause of France, and had through practice and habit acquired some reputation in arms. Formerly they were tributary to the Iroquois or Five Nations, who had, about the middle of the last century, conquered the various tribes upon the Mississippi and the great lakes, and had almost expelled the French out of America. But towards the latter end of the war having made an advantageous peace with the Pennsylvanians, and observing that effeminacy and luxury, of which there may be a species even among savages, had weakened the empire of the Iroquois, they made a league with the other Indians behind the Allegany mountains, shook off the yoke of slavery, and set up for an independent nation. Notwithstanding this revolution in the balance of savage empire in America, notwithstanding this defection, such was the dread of the common enemy that, instead of engaging in a war for the recovery of their sovereignty, the Senecas, one of the Five Nations, espoused their quarrel, and in conjunction with the Indians about Detroit, attacked our forts and invaded our colonies.

The time of harvest, which they chose for their invasions, was the fittest imaginable for depredation, and all the purposes of savage war. The crops were destroyed, the houses burnt, the cattle drove away and the planters massacred. The frontiers of Pennsylvania, Virginia and Maryland, were deserted for twenty miles inwards, and thousands of hopeful settlements, the labour of years, were at once abandoned. All the itinerant traders, who, under the sanction of peace, were buying or bartering goods among the Indians, were murdered; and their effects, to the value of some hundred thousand pounds, were plundered; a blow, which

which gave a rude shock to most of the great towns in America. But however easy their sudden and unforeseen attacks made it for them to surprise and master the open country, their ignorance of the art of attack and defence made the reduction of fortified places impracticable. What they could not effect by force they compassed by stratagem. Whenever they invested a garrison, they persuaded the troops that they had cut off all the rest: they intimidated them with the number of Indians said to be approaching; and by a promise of safety, which was generally violated, prevailed upon them to abandon their quarters.

By these artifices they became masters of several forts. But Detroit, Niagara, and Fort Pitt they could not reduce. The former was relieved by a reinforcement, before they could form the siege; and though our troops, in attempting to surprise the Indians, were themselves surprised, they handled these savages so roughly that they did not venture upon the attack of the fort. Their efforts against Niagara were equally fruitless. They intercepted indeed a convoy, and cut off the escort; but they were repulsed upon the lake Erie, and finally disappointed in all their schemes.

It was against fort Pitt that they exerted themselves with the greatest vigour and perseverance. Observing that, though strong by nature, it had never been completely fortified, and that its works had been lately damaged by an inundation of the surrounding rivers, they advanced up close to the walls, and with a boldness and resolution, which would have done honour to any troops, took post under the banks of the rivers, and burying themselves beneath these coverts for whole days poured in upon the besieged an incessant storm of musquet balls and fire-arrows. If open force should fail, they hoped to reduce it by harassing the garrison, or by famine.

Though the British troops defended themselves with all the desperate bravery of men, who knew their lives to be at stake; it is difficult to say what might have been

been their fate, had not the enemies been obliged to abandon the siege precipitately, in order to intercept colonel Bouquet, who was advancing to their assistance with a strong reinforcement. This officer, finding it impossible to procure any intelligence, left behind him all the provision and ammunition, which was not judged absolutely necessary, and pursued his march with all that cautious expedition, which the nature of the country and service required. After having traversed a considerable tract of rough and mountainous forest, he arrived at a dangerous defile extending several miles in length, and commanded on both sides by high and craggy hills. In order to elude, if possible, the vigilance of so alert an enemy, he determined to pass it in the night.

While the troops, after a fatiguing march of seventeen miles, were preparing to refresh themselves, and to make the necessary arrangements, their advanced guard was suddenly attacked by the Indians. This body being speedily and firmly supported, repulsed the enemies, and pursued them to a considerable distance. But their flight proved only a decoy to entangle the detachment in the snare which was prepared for them. When the pursuit ended, they returned to the charge with redoubled vigour; and being supported by parties, which lay in ambush on the high and woody grounds flanking our army, they galled it with an obstinate fire. The whole line was obliged to advance, and to dislodge them from these posts.

Though this movement succeeded, it produced no decisive advantage. No sooner were the savages driven from one eminence, but they occupied another; till by constant reinforcements, they surrounded the whole detachment, and attacked the convoy in the rear: a circumstance, which forced our troops to fall back for its protection. The enemies improving this advantage, pressed forward with the greatest spirit. The action grew hotter and hotter every moment; and the English found themselves encircled and assailed at once by superior

superior numbers. But their courage, their perseverance, their dexterity in evolutions, surmounted all obstacles. They forced the Indians from all their posts, with bayonets fixed. Night put an end to the engagement, which had been continued from noon without intermission.

The ground on which they stood, was not ill adapted for an encampment: the convoy was therefore placed in the center, the troops forming a circle round it. In this posture they passed a restless and anxious night, obliged to the strictest vigilance by an enterprising and daring enemy, who waited only for the morning to complete their destruction. Soldiers accustomed only to the humane maxims of European war, have hardly an idea of the dangers to be endured in an American campaign. In Europe the roads are practicable, magazines are established, and hospitals provided. In case of any great disaster, strong towns are at hand; or, at the worst, a generous enemy is ready to afford every relief to the vanquished. No consolation but that of victory can be wanting. Such a service may be considered, as the exercise of an active and adventurous mind, rather than a sanguinary contest for mutual destruction; a dispute between rivals for glory, rather than a struggle between deadly enemies. But in America, every object is pregnant with terror: the face of the country, the climate, the enemy. There is no refreshment for the healthy, no relief for the sick or wounded. A vast inhospitable desert, full of snares and treachery, extends on every side. Victories are not decisive, but defeats are ruinous; and simple death is the least misfortune that may befall a soldier. What then can be more critical than such campaigns? As they act in small bodies, man fights against man: every individual marks his antagonist. All the vigour of the body, and firmness of the mind, is put to the severest trial: every exertion of courage and address is called forth into action. If the events have less dignity and magnificence than those of a regular war, they are
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more interesting to the heart, more amusing to the imagination.

At the first dawn of light, the savages, setting up the war-whoop all around the camp, in order to intimidate with their numbers and ferocity, made several bold attempts to penetrate into it, under favour of an incessant fire. Though constantly repulsed, they constantly renewed their attacks, and harassed our troops, which were equally distressed with fatigue and want of water, circumstances much more insupportable than the enemies fire. Their situation was extremely critical and perplexing: tied to their convoy, they could not lose sight of it for moment, without exposing not only that interesting object, but also their wounded to the merciless barbarians. Many of their horses were lost; many of the drivers, stupified by fear, had hid themselves in the bushes, and were incapable of hearing or obeying orders; to pursue their march was therefore impracticable. Besieged, rather than engaged; attacked without interruption, and without decision; capable neither to advance nor retreat, they saw nothing before them but the melancholy prospect of crumbling away by degrees, and perishing without revenge, without honour, in those dreadful forests. The fate of Braddock and his army came rushing to their minds; but they had another commander.

Bouquet, seeing that all depended on bringing the savages to a close engagement, endeavoured to inspire them with confidence, and to give additional strength to that audacity, which success had already so greatly increased. For this purpose, two companies, who occupied the most advanced posts, were ordered to fall within the circle; the rest of the troops opening their files to the right and left, and then closing up the vacant space, as if they meant to cover their retreat. The savages fell into the snare; imagining that the thin line of troops, which filled up the ground abandoned by two companies detached to support the former, indicated a retreat by moving nearer to the center,

ter, they rushed from the woods which covered them, and hurrying headlong on with the most daring intrepidity, galled the English with their heavy fire. But at the very instant when they thought the victory certain, and the camp taken, the two first companies rushed out from an invisible part of the hill, and attacked their right flank. The barbarians, though disappointed, were not dismayed: they returned the fire with great spirit. But discipline, and well directed strength, soon decided the contest: unable to sustain the irresistible shock of the regulars, they fled at the second volley. As they turned their backs, the other two companies presented themselves in their front, and by their full fire completed the overthrow. They were pursued, and totally routed and dispersed.

This well concerted and well executed stratagem, saved the whole detachment from the most imminent danger. The rest of the savages, who had been kept in awe during the engagement by the British troops, were terrified by the fate of their companions, betook themselves to flight; and abandoned all the adjacent woods. Yet, notwithstanding this advantage, so many men had been wounded, and so many horses lost, that, before our troops could move, they were under the disagreeable necessity of destroying the greatest part of their convoy of provisions, and consequently of relinquishing one of the principal objects of their expedition. This action, in which our officers and soldiers gained great and just honour, was the only one of moment which distinguishes this war. As the Indians draw their chief subsistence from hunting, and their hunters and warriors are the same, they were soon weary of it, and laid down the hatchet. It is to be hoped, that for the future, gentle and pacific measures will be embraced by our colonists, and that past experience will teach them, that their enmity is as dangerous, as their friendship is advantageous. By kind and indulgent usage, they will lose both their military and

and savage spirit; and instead of barbarous foes, become useful subjects, or allies. As the treaty of Fontainebleau had not put an end to the calamities of war abroad, so neither did it restore peace at home. The parliament indeed, or at least the majority, approved of the preliminary articles, and many addressees, full of the highest strains of panegyric upon them, were procured from cities, counties, and boroughs. In general, however, they were not spontaneous, but the effect of court interest and intrigue. The body of the people disavowed them, particularly the city of London, whose resolutions have a very extensive influence on the rest of the kingdom; and one may safely affirm, that the voice of the nation was clear and strong against the peace. This circumstance was not at first so evident: the acquiescence of the parliament, and the arts employed by the ministry in procuring addressees, staggered the faith of many, and prevented them from making use of their own judgment. But by degrees, the fire, which was thus smothered, gathered strength, and at last burst out in a blaze. When the duke of Newcastle resigned the treasury to the earl of Bute, the English were alarmed at seeing all power engrossed by a single individual, whose attachment to the principles of liberty was doubtful, and who had never given any proof of superior talents. They began therefore to examine his conduct with severity, and to censure the peace with the utmost freedom. The opposition, which had hitherto acted a timid and irresolute part, seeing how the popular tide ran, determined to glide down the current. The heterogeneous and discordant principles of its members, as well as their general want of real virtue and genuine patriotism had prevented it from acting in concert, and forming any regular plan for the redemption of the nation. The spirit of the people, particularly of the middling class, to whom publick virtue is now almost solely confined, roused its heads from inactivity, and brought them into the general vortex

vortex, in hopes of being once more waisted by its force to places and pensions. They began to hold occasional consultations at one another's houses, and to eat and drink heartily for the benefit of the kingdom. A paper war, which raged with great violence, was commenced. But it was commenced by the minister, who, by this imprudent step, seemed to acknowledge his unpopularity, and the superiority of his enemies. Indeed, as if he knew that his principal struggle would be with the people, his creatures took infinite pains to decri the measures of the late minister: a very impolitic proceeding, as they had been so highly applauded by the whole island. Whether the writers were in his immediate pay, we cannot ascertain; ample provision was made for two of the most considerable: one receiving a place in the customs, another in the law.

Though the discontented party had, at the time when the preliminaries were discussed, excellent grounds for opposition, because they were national, their efforts were so weak, disjointed, and ineffectual, that many at that time imagined no body of men seriously intended to brand with disgrace, a system, to which, imperfect and faulty as it was, the sanction of parliament, and the consequent impossibility of rectifying it, made it highly proper for the people to reconcile their minds.

This consideration had no weight with the opposition; they lay in wait to wound the administration in the most tender part, the supplies. Several circumstances favoured their design. Though the necessity of taxes was full as great at the conclusion, as during the continuance of the war; yet that necessity was not to every person so palpable, nor to any so palatable, as when every article of national expence was repayed by victory and plunder. All taxation is in its own nature unpopular; but it is doubly so, when it proceeds from the hand of an odious minister. No wonder then, if a clamour was easily raised against a man, whom an unsatisfactory peace had already made obnoxious; nor if discontented minds, which are ever fertile in accusa-

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tions, found means to persuade the people that the new taxes were partial and destructive: since there is hardly any impost, which may not be traced, in theory, to the ruin of some branch of manufacture or commerce.

The minister, convinced of these truths, was extremely reserved in opening new resources, as well to show that the nation was not very abundant in them, as to evince the necessity of the peace, and the merit of those, who made so good a one in such exhausted circumstances. Perhaps too it was meant to make a parade of œconomy, and to throw a tacit reflection on the expensive manner in which the war had been conducted.

In consequence of these notions two millions eight hundred thousand pounds were raised by redeemable annuities, to which was tacked, as a premium to the lenders, a double lottery producing seven hundred thousand pounds. A sum of one million eight hundred thousand pounds was levied on the credit of exchequer bills chargeable on the first aids granted in the ensuing session; and the sinking fund was robbed of two millions; the whole of the grants amounting to thirteen millions and a half; and the provisions exceeding them by more than half a million. So that little care seems to have been taken in adjusting and proportioning them to each other; as if a vote of credit were still as necessary as during the continuance of the war. The whole of the new funds amounted to seven millions three hundred thousand pounds. In order to pay the interests of the annuities an additional duty of eight pounds a tun was laid on all French wines, and half as much on all other imported wines. In aid of this scheme, which was thus far unexceptionable, every hoghead of cyder and perry was charged with a duty of four shillings to be paid by the maker, to be gathered by the officers of excise, and to be subjected, with a few qualifications, to all the laws of that arbitrary mode of collection. The sinking fund was a collateral security.

Almost every particular of this plan was censured by the opposition. As they had formerly held that the nation was not so far from being exhausted that it could furnish resources for continuing the war for several years; so now they maintained that it could much more supply funds for removing the national incumbrances. Individuals, said they, abound in wealth, while the publick is loaded with an immense debt. In such circumstances is it not the soundest and most enlarged policy to add as much as possible to the national revenue by bold and liberal grants, which may multiply the objects of œconomy, and give it something upon which it may operate? What difference is there between the publick and a merchant? If the latter has not a capital to trade with, but is confined and straitened in his dealings by the narrowness of his fortune, what prospect has he of growing rich? The same reasoning is applicable to the publick; and any other species of frugality will be as trifling and ineffectual as mean and sordid; it may starve many essential branches of the publick service, but will always be found a futile and barren resource for the discharge of the national debt. Had this œconomical system been followed in the prosecution of the war, we might in endeavouring to save a little have lost all. How happy was it for the kingdom that the mean and narrow genius of our present financiers did not then direct the treasury! But why mention this instance of ministerial incapacity, when the whole scheme of the lottery is so pregnant with blunders? Upon a loan of three millions and a half the subscribers have in a few days gained a clear profit of three hundred and fifty thousand pounds; the new stock having risen more than ten per cent. above par. Why was not the subscription left open, and advantage taken of the people's folly? This enormous sum might have been brought into the pullick treasury instead of now filling the coffers of private individuals. As the definitive treaty was known by the minister to have been signed, he

could be under no apprehensions for publick credit. The gamesters, loaded with money, were now for the last time coming to the table; and as in the disposal of the navy bills and ordinance debentures the redeemable four per cents. had been taken at par, was it not evident that in this case, where the interest is the same, the premium would be whatever the rage of gaming would dictate. But there are ministers, who think it a sufficient excuse for any destructive scheme that they serve their friends. What else could have given birth to two lotteries in one year? Why was not half the expence saved to the nation by making the tickets duplicates of each other? Is this œconomy? Is it the method by which you check the pernicious spirit of gaming, which cannot be too much discountenanced by an administration, that has the least pretensions to wisdom, or any sober regard to the morals of the people? But what need we wonder at this conduct in men, who, without any necessity, have not blushed to pervert the sinking fund from its original intention of paying off debts already incurred? They would appear tender of the people, because they have not credit to support an enlarged and liberal plan. Present ease is but ill bought with future oppression. A true statesman seldom puts off the evil day: but, like an able physician, attacks the disease in its first stage. Such a conduct is worthy of those who framed the cyder act, which with regard to its object is partial and oppressive, and with regard to the mode of collection dangerous and unconstitutional: for it lays the whole burthen of the expences incurred in the general defence of the kingdom, and in the protection of the national commerce, on a few devoted counties, which in every other article of charge already contribute their full share. Had the tax indeed been proportioned to the natural and original value of the commodity, it would have been one argument in its favour. But that is not the case. In order to render it every way exceptionable, this load so suddenly imposed is so heavy that

it threatens the destruction of the object of taxation. The farmers are beginning to grub up their orchards. Had the taxes upon beer and malt been laid all at once, with so little judgment, they must have destroyed the manufactures, or shook the kingdom. This impost is oppressive both to the landholders and the farmers; to those, as it diminishes their rents, and operates more severely than the land tax; to these, because, if they compound, it is the same as a burdensome poll tax; if they do not, it is a subjection to new, unknown and perplexed laws, and to the tribunals of commissioners appointed by the crown, and removable at pleasure; and therefore arbitrary in their nature, and inconsistent with the principles of liberty, which have long distinguished this kingdom from the regions of despotism. The smallness of the sum to be raised sufficiently indicates that the relief of government cannot be the only motive to so extraordinary a measure. When new orders of men are thus subjected to excise laws, the precedent is formidable not only to commerce but to the very vitals of the constitution; and there are just grounds for the most alarming apprehensions: if any thing can be dreaded more alarming to freemen than an act, which renders the houses of all peers, gentlemen, freeholders, and farmers searchable at pleasure, and entails on a great part of the nation what may be justly called a badge of slavery.

Such was the language held by the minority in both houses of parliament; such was the language held by the city of London, and echoed back from every part of the kingdom. Two strong protests were entered against it by a body of dissentient lords; one at the commitment, another at the passing of the bill. London instructed its representatives to oppose it; and presented petitions against it to every branch of the legislature. In short, no political project since Walpole's scheme of a general excise, not even the Jew bill, ever threw the nation into so dangerous a ferment. Had the minister studied the spirit of the people, as he ought to have done,

done, or possessed any talents for government, he would have foreseen its fate, and avoided a rock on which the father of corruption had well nigh perished.

Every question has, like Janus, two faces; and if you view it only on one side, it will appear in a favourable light. The ministry used this artifice, and gave some colour to their cause. What, said they, can be more wild and extravagant, than to aim at encreasing the national income, by any more taxes than the most urgent necessity requires? It is running headlong upon certain evil, in order to prevent a possible mischief. Every tax must be a discouragement to trade; because it enhances the price of our manufactures, which, in time of peace, must procure themselves a vent principally by their cheapness. Since trade then ought to be the primary, and taxation only the secondary object of all administrations, can any thing be more absurd than the proposal of augmenting the revenues by new imposts; or any thing more prudent than to spare the nation by issuing out of the sinking fund money to prevent the dearness of its manufactures? What impost does not imply some restraint upon liberty? Ill, therefore, does it become those who quarrel with the duty on cyder and perry, a moderate and equitable imposition, to contend so strongly for continuing and enlarging the charges of the nation. This duty is so far from being unequal and oppressive, that it does not bring the cyder counties on a level with those in which beer is drank. In all other parts of the kingdom, private as well as public consumption is affected by the malt tax; and cyder is not so heavily charged. Besides there are exemptions in favour of the poor, which are not known to any other scheme of revenue. The cyder counties therefore have reason to be thankful for their long immunity, instead of complaining that they are at last obliged to contribute rather less than their share towards the support of the national interest. Nothing can be more frivolous than to object the disproportion of the tax to the original value of the commodity.

dity. For what points out an object of taxation more strongly than its original value being so low that it may be sold cheap after the imposition? This is the case of tobacco, of malt spirits, and even of beer. The excessive cheapness of cyder calls for a tax to restrain its excessive use; and there seems to be something absurd in the conduct of those gentlemen, who show so much tenderness for the morals of the people by exclamations against gaming, though authorised and regulated by government; and yet can pay no regard to the vice of drunkenness, which is not less prevalent, nor less pernicious. You violently arraign the mode of collection, as arbitrary and unconstitutional. Will you be pleased to point out another equally effectual, and less grievous; and we will adopt it? but you are silent on that head. Why then should we not adhere to a plan, which has the advantage of all others in cheapness, accuracy, and expedition; and which, if it be a badge of slavery, is a badge that has been long worn by the manufacturers and venders of malt, beer, spirits, tea, tobacco, salt, soap, candles, leather, and many other articles; a body of men greatly superior, perhaps, to the makers of cyder. If every gentleman is not subject to the laws of excise, it is because he does not choose to make his own malt. Some do, and are not exempted; and it is the extensive nature of a law, not any accidental burden, that forms a rational objection. Even the laws of the universe, though planned by the Almighty, are not without imperfections. How absurd then is it to quarrel with this scheme, because it is not free from those defects, which will ever adhere to the works of man? though the laws of excise are in this case extended with regard to their object, they are contracted in their nature; several exemptions and qualifications are specified in the act. Your accusations on this head are as groundless as your objections to the terms, upon which part of the supplies was borrowed. You forget that the more money is wanted, and the oftener we go to market, the harder will

will be the conditions, upon which it can be procured; and that you are at least as blameable as the ministers: because by your clamours, insinuations and connections with the monied interest, you prevented the rise of publick credit, and forced the nation to offer extravagant terms.

In this ministerial apology, it is observable, that the defence made for the mode of collection, which was the principal cause of the ferment, furnished a strong argument against the whole scheme. For it can never be a reason for extending the excise, that it is already very extensive; no more than the appearance of the plague in Turkey can be a motive for an attempt to spread it over all Europe. The plan of the lottery was entirely indefensible; and if ministers were not able to make a more advantageous contract, they should have given place to those, who had more credit and abilities.

In the midst of this contention, when all waited anxiously for the event, which, however, no body imagined could be soon decided, lord Bute, to the astonishment of all who were not in the secret, resigned the office of first lord of the treasury, and retired from business. This measure was much canvassed and variously criticised. Those who would exculpate that nobleman, insinuated, that having concluded the peace, the great but dangerous service, for which he had appeared the capital actor on the political stage, he had fully obtained his end, and acquitted himself of every debt to his own conscience, his country, and his king; and that therefore he might now, with great propriety, consult his own ease, and by his resignation prove to the whole world, that his private ambition was not the cause of the present disturbances, but the selfish and interested views of the factious cabal, which fomented the popular discontents. Were he not influenced by those patriotick motives, would he have quitted the helm, when his conduct was approved by such a large majority in parliament? It is as incredible, as that he, who had the courage to undertake the dangerous busi-

ness of making peace, should have abandoned his friends and his fortune through fear.

Those of his dependents, who pretended to act upon principle, highly censured him for deserting them, and his sovereign, at a time, when a little perseverance would have secured him a total victory, and rendered his power immoveable as a rock. For what, said they, do we contend? Is it not for the restoration of the constitutional dignity of the crown, for the redemption of the king from thralldom, from the hands of an all-grasping and insolent cabal? Is it not our intention to preserve to the king, the right of appointing and retaining his own servants according to law and ancient prescription, if there be no legal disqualification or delinquency to dictate their removal? Can this be accomplished, if the first gust of popular madness be sufficient to overturn the whole fabrick of our designs? Will not this pusillanimity, or rather treachery, depress the courage of our party, and raise in proportion that of our adversaries, when they see that, without the trouble even of a false accusation, they can force a minister from the councils of his sovereign? Who will henceforwards support government, if the highest favour of the court, and the most decided parliamentary superiority, are not able to secure them from the caprice of the multitude, and the vengeance of their enemies.

The popular party did not deny that the crown had a legal right to appoint its own servants; but they contended, that in the exercise of this right it ought to be directed by publick motives, not by private friendship and attachment. Great talents, great and eminent services to the nation, confidence among the nobility, and influence among the landed and mercantile interests, are the circumstances, which ought to direct the sovereign in the nomination of the great officers of state. This is the only controul, which remains to the people, on the immense power which the crown has acquired by the gift of an infinite number of profitable

fitable places. The popular use of the prerogative is absolutely necessary to reconcile the nation to its great extent; and it will be highly dissatisfied, when its affairs are entrusted to men, who do not enjoy its confidence. When ministers are appointed in conformity to this rule, the people can rest satisfied that no attempt will be made upon the constitution; because those, who are recommended to royal favour, and presented, as it were, to their places, by the publick esteem, will be studious to preserve it, by persevering in the same conduct by which it was acquired. Such were the principles upon which administration was formed at the revolution, and upon which government has been ever since advantageously conducted. The nation can never recover its usual repose and tranquillity, till its affairs fall back upon their former center.

GRENVILLE'S ADMINISTRATION.

Little regard seems to have been paid to these principles, in the composition of the new ministry. George Grenville, a gentleman more remarkable for laborious diligence than for clearness of head, better known by his attachment to his own interest than by his services to his country, was created first lord of the treasury, and chancellor of the exchequer. Lord Egremont, shrewdly suspected of entertaining sentiments unfavourable to liberty, became secretary for the southern department. In the northern department business was transacted by lord Halifax, a nobleman, who was thought possessed of some talents, and whose publick conduct had never been obnoxious, till he had disgraced himself by stooping to be the creature of the late minister. These three persons, who were recommended by their predecessor, and pursued his plan of politicks, now moved the whole machine of government.

The popular leaders, finding their whole party excluded, began to canvass the merit of the new ministers.

Whence,

Whence, said they, is their power derived? not from their overbearing weight of property, not from their parliamentary interest, nor parliamentary talents. In all these particulars they are greatly exceeded by their antagonists. To what then do they owe their elevation? Is it, that they have found the secret of rendering themselves so agreeable at court, that any danger is thought preferable to their dismissal? none are so ignorant of our affairs as to entertain so childish a fancy? for what purpose then were they appointed? to serve as the passive instruments of that minister, who, from motives of personal quiet and safety, had retired, in order to carry on behind a veil his ambitious projects with the more ease and certainty. The new ministers having no solid foundation in themselves, lean upon him for support. The same motives therefore, the same spirit, which animated us against him, ought still to actuate us, till he and all his creatures are banished from the government of a nation, whose affairs they are not qualified by their principles to manage.

In consequence of this resolution of the minority, the political disputes were carried on with the greatest heats and animosities. Pamphleteers and news-writers skirmished in verse and prose, and measured out vice and virtue to every man, according to the party, which he espoused. Of all the popular writers, the most bold and spirited was the North Briton: the late minister had in some measure fallen a victim to the venom of his pen. The present administration had reason to dread the same fate; when he happened in one of his papers to make a direct attack upon the speech from the throne. He considered it, indeed, as the speech of the minister, and ventured no farther than the members frequently do in parliament; but it was imagined that constituents had no right, even to hear or think of what their representatives spoke. Accordingly, a general warrant, neither specifying the name, nor describing the person of any criminal, was issued out by the secretaries of state, for apprehending the authors, printers and publishers

publishers of the 45th number of the North Briton, which was honoured with the epithets, seditious and treasonable. This strange warrant was executed in a manner still more strange and unjustifiable. Many persons no way guilty, and of a quality too low for the purpose of punishment or prevention, were taken into custody. The proceedings against Mr. Wilkes, the principal object of vengeance, were attended with certain circumstances of rigour, which were not called for by the occasion. His house was ransacked, his locks were broke open, and his bureaux robbed of his most secret and confidential papers. To augment the terror, and swell the enormity of the crime, he was sent to the tower; close imprisonment being directed, and the use of pen, ink and paper, forbidden. Neither friend nor counsel was allowed to come near him; and bail was refused for a bailable offence.

General warrants had the undisputed sanction of office, since the revolution, and the secretaries thought themselves sufficiently justified, in issuing them; from the frequency of the practice. But this was a critical time. The ministry had been accused of arbitrary principles, and the people were willing to make the severest scrutiny into their conduct, in order to pursue them to extremity, if they deviated from the strict letter of the law. No circumstances could have happened more favourable to their wishes, than the steps which had been now taken. Not to mention the privilege of parliament, which was flagrantly violated, the warrants were totally illegal, and directed as much against the whole English nation as against the persons taken into custody. They were, indeed, conformable to precedent; but no precedent can justify what is in the nature of things wrong; or the substitution of discretion in the place of law, which knows no discretion, nor leaves the construction to be put upon warrants, to those low miscreants, who must be entrusted with their execution.

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Mr. Wilkes, on bringing his habeas corpus, was released without bail, by the judges of the court of common pleas, who were unanimously of opinion, that privilege of parliament extended to the case of writing libels, as it was not treason, felony, or breach of the peace. The populace, imagining that his discharge, on account of privilege, was a point gained to the freedom of every individual, were highly elated, and attended this martyr of liberty with praises and acclamations wherever he went. In order to feed the flame, which had been raised, the other persons, who had suffered by general warrants, sought redress at law, and obtained damages, proportioned rather to the guilt of their oppressors, than to the greatness of their sufferings. Had the money been levied on the transgressors, the punishment might have been of service to the publick. As it was issued by his majesty's order out of the exchequer, there is reason to fear that it will be but a feeble restraint on future secretaries, if the delinquents be not brought to justice.

These trials engrossed the attention of the people so much, that till the meeting of parliament, nothing else could enter into their thoughts or conversation. When that event took place, the ministers did not forget to mention the peace in the speech from the throne, and to throw as much reproach as possible on the attempts, which had been made to render the people discontented. This abated the fervour of many in the opposition, who, having power for their principal object, were unwilling to disgust the sovereign by any violent attack upon a measure adopted by him. A reiterated approbation of the peace was therefore easily obtained; and upon a message from the king, a violent censure was passed upon those writings, which had excited the clamours against the peace-makers, and the majority. The forty-fifth number of the North Briton, after being charged with every opprobrious epithet, was ordered to be burnt by the hands of the common hangman; and both houses joined in an address

to his majesty, expressing their indignation at the contumely with which he had been treated, and at the outrage, which had been offered to every branch of the legislature.

The people were not so obsequious or complaisant : not relishing this combined attack of the whole legislature upon a man, against whom the law was open, they rescued the condemned paper from the flames, and preserved it, like a sacred relic, notwithstanding all the efforts of Harley, the sheriff, who showed as much zeal to destroy it, as an inquisitor would have done to burn a heretick.

The majority, however, irritated rather than intimidated, pursued their blow : they voted that privilege of parliament does not extend to the case of writing and publishing seditious libels, nor ought to be allowed to obstruct the ordinary course of the laws in the speedy and effectual prosecution of so heinous and dangerous an offence. The following arguments were the colourable pretexts for this vote.

A libel, said they, besides being injurious to the peace of individuals, may be pregnant with such danger to the safety, and perhaps to the existence of the state, as greatly to exceed in guilt, not only many of those offences, for which sureties of the peace may be demanded, but also several species of felony, all of which are allowed to be out of privilege, and to border on treason. The distinction betwixt acts, which positively break, and those, which only tend to break, the peace, is trifling and sophistical. The question is concerning the nature and weight, not the name, of the offence. Sureties of the peace may be required for an actual assault, and even a menacing gesture. Shall sedition, a much greater crime, be exempted ? if this distinction be admitted, members of parliament may not only libel publick and private characters, but commit many misdemeanours of the grossest nature with impunity ; because they, as well as libels, are breaches of the peace but by construction, and in their consequence.

consequence. It is idle to say that no danger can arise from the preservation of this privilege, because, on application to the proper house, the obnoxious member would be given up to justice. The delay, which necessarily attends this method of proceeding, will often render the remedy too late; as the offender will have time to escape. Besides this argument, if at all admitted, will prove too much: it will prove that privilege ought to hold in treason, felony, and actual breaches of the peace; because either house would undoubtedly deliver up members charged with such offences. As privilege of parliament is limited only by the discretion of the two houses, it may become invidious, if it is not used with great moderation and delicacy. Should it be found incompatible with publick order, or even private quiet, the safety and freedom of the members may come to be deemed the danger of the state, and the slavery of the subject. It becomes us, therefore, according to the true spirit of the constitution, to give in this instance a practical lesson, as well as a comfortable security to the people, that no situation can be a sanctuary for those who presume to violate the laws.

The opposition contended that, whatever doubts might arise about the latter clause of the resolution, none could exist with regard to the former, which declares, that privilege does not extend to the case of writing and printing seditious libels; because it is diametrically opposite to all the authorities and decisions of the gravest and soberest judges, to the evidence of history, and to the records of parliament, which positively assert, that privilege extends to every case, except treason, felony, or a refusal to give security for the peace, and to pay obedience to a writ of habeas corpus. The two offences, that call for surety and habeas corpus, are both cases of present and continued violence: the end of both is the same, to repress the force and disarm the offender. When that end is attained, the proceedings stop: in either the offence is
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not prosecuted nor punished. But in the case of a libel, where is there any continued violence? where is there any circumstance that calls for such dispatch and expedition, as is necessary in cases requiring surety of the peace? when the libel is published, the mischief is done, and admits of no farther aggravation. No damage can therefore ensue, by proceeding against the delinquent with the utmost leisure and deliberation. But by this resolution the libeller is not allowed the benefit of privilege in any one stage of the prosecution; for it is so general, that, were he to find sureties as in a breach of the peace, he may be still arrested, tried, convicted, and punished without any regard to that circumstance.

If privilege will not hold throughout in the case of a seditious libel, it must be, because it may be construed a breach of the peace, for which sureties may be demanded. But this offence is not a breach of the peace; no good lawyer, nor man of sound sense, ever gave it that name: the nature of things, and the unanimous consent of mankind, have defined it an act tending to a breach of the peace. To say then that a libel, possibly productive of such a consequence, is the very consequence produced, is in other words to declare, that there is no difference between the cause and the effect.

This resolution does in effect affirm, that all men without exception, may be bound to the peace for this offence: yet if a libel could, by any abuse of language, be termed a breach of the peace, a libeller cannot be bound to the peace; because, none can be so bound, unless he be taken in the actual perpetration of such a breach; because there is no authority, or even ambiguous hint in any law book that he may be so treated; because there is no example of such treatment; because no crown lawyer ever insisted on such rigour, when the most virulent libels, the most rancorous prosecutions, and the most violent despotism reigned: when the law of libels was ransacked every term; when loss
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of ears, perpetual imprisonment, banishment, and fines of ten and twenty thousand pounds, were the ordinary judgment of the star-chamber, which assumed an uncontrollable authority over the press.

By this doctrine the liberty of every man, privileged or unprivileged, is surrendered into the hands of a secretary of state, who is thus empowered in the first instance to pronounce a paper to be a seditious libel; a matter of such a difficulty, that some have pretended the determination of it to be too much for a special jury of the first rank and dignity. Alone and unassisted, he is to understand and fix the meaning of every innuendo: he is to ascertain its tendency, and to brand it with his own epithets: he is to adjudge the party guilty, to make him author or publisher, as he judges proper, and to give sentence by commitment. All these authorities he possesses as a single magistrate, without council, evidence or jury; and in a case where the law says that no action will lie against him, because he acts in the capacity of a judge. Can any law be more inconsistent with the spirit of liberty, and a free constitution? it is so far from being founded on usage, or written precedents, that it is a contradiction to them all; and, what is worse, it is now first declared in order to reach a private individual, who is under prosecution in a court of justice, whose jurisdiction is thus enlarged at the expence of the legislature.

This method of relaxing the rule of privilege case by case is pregnant with the inconvenience of rendering the rule precarious and uncertain. This infringement of our standing orders may be made a precedent for future infringements. How then can judges decide these or the like questions, if privilege is no longer to be found in records, journals, or standing orders? no court will henceforward venture without trembling, to recognise or deny it; till at last, instead of its holding in every case not excepted, it will hold in none but those, which are expressly saved. Such is the consequence of censuring with so little decorum
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the conduct of a judge, whose knowledge can be equalled only by his integrity.

Nor is there any probability, that by this privilege the constitution will be endangered by a continued attack of successive libels. If such an event were possible, there must have been some examples of it upon record; but there are none, though the privilege has been enjoyed since the origin of the monarchy. Upon complaint made, the parliament will give up the delinquent; and the slowness of this mode of proceeding is not to be charged on the two houses, but on the crown, which manages prorogation so as not to leave an hour open for justice. A charge deserves not the name of a libel, if it be true; and if it be false, its consequences cannot be very dangerous. Those, who think that the people of England can be moved by such a phantom, to overturn the constitution, are but little acquainted with their good sense, and but ill qualified for being their legislators. Whoever knows their genius will, with us, be ready to allow that they think it much more necessary that privilege should not extend to cases of debts than libels; and that they are fully convinced, that this resolution is better calculated for the support of the ministry, than the constitution.

It is not to be conceived that our ancestors, when they framed the law of privilege, should have left a seditious libel the only unprivileged misdemeanour; since of all others, it is the most likely to be abused by outrageous and vindictive prosecutions. Besides, this privilege had a much deeper reach; it was made indeed, not to screen criminals, but to preserve the very being and life of parliament: as the great powers of arrest, indictment and information were lodged in the crown, the two houses would have been undone, if, during the time of privilege, the royal process were admitted in any misdemeanour: none was therefore excepted: where the abuse of power would have been fatal, it was not given; because redress would have come too late. A parliament under perpetual ter-

our of imprisonment, can neither be free, nor bold, nor honest; and, if this privilege be once removed, the most important question may be irrecoverably lost, or carried by a sudden irruption of messengers let loose against the members, half an hour before the debate. If the severity of the law relating to libels, as it has been sometimes explained, be duly considered, it must strike the parliament with terror and dismay. The repetition of a libel, the delivery of it unread to another, is deemed a publication: nay, the bare possession of it has been deemed criminal, unless it is immediately destroyed, or carried to a magistrate. Is not then every member of parliament, who has committed, who is falsely accused of, these acts, nay, who is, though without any information, named in the secretary's warrant, robbed of all security, and exposed to the mercy of that great enemy to learning and liberty, the messenger of the press?

In spite of all these arguments, a vast majority in both houses agreed to the resolution without any qualification; and sacrificed their own privileges at the altar of the ministry, whose credit was to be supported by a flat contradiction of law, and the great judge, whose sentence had confirmed the ill opinion conceived of them by the publick. They imagined that the authority of parliament would be sufficient to give a sanction to their measures, however illegal and unconstitutional; and that the people would acquiesce without murmur. Blinded in the pursuit of a favourite object, they never considered that a sensible and spirited people will rely upon their own judgment, and weigh the decisions of every assembly, not by the number of heads or voices, but by their justice, and constitutional tendency. Full, therefore, of their peculiar notions, they resolved to crush their great antagonist, Mr. Wilkes, by the weight of the whole legislature, hoping the spirit of the people would cool and evaporate, when they found him not only disowned by privilege, but condemned by that body,

of which he was a member. The fury of their persecution was retarded by an accident.

Mr. Wilkes had in those papers, which now subjected him to a legal prosecution, and to a parliamentary censure, treated a certain member of parliament with much asperity. What foundation there was for this attack, we will not pretend to determine; but from the peculiar acrimony of the expressions, and the known character of Mr. Wilkes, there is reason to suspect, that it was not groundless. Whether this gentleman, who thought himself aggrieved, was moved to revenge by a sense of honour, or by the instigations of some exalted personages, who wished to have such a formidable champion removed by any means; certain it is, that he practised shooting at a target for several months, as if blood, not a fair reputation, was his object. The place, which he enjoyed under a great lady, is a strong presumptive evidence against him and his patroness. In the violence of debate, some words escaped the court champion, that brought on a duel; in which Mr. Wilkes was dangerously wounded. This circumstance occasioned an adjournment of the charge against him, till he could personally attend. But as he found that the minority, willing to purchase the credit of moderation by sacrificing him, were extremely luke-warm in his cause, he refused admittance to the gentlemen of the faculty, deputed by the house to examine the state of his wound, and suddenly removed to France, before he was perfectly recovered.

What seems to have principally determined him to this step, was the desertion, or rather treachery of the great commoner, whose conduct on this occasion must ever remain a stain upon his character. Were not this single slip redeemed by such a multitude of publick virtues, it would have been enough to damn his memory, and render him any more unworthy of the nation's esteem.

The occasion of a change so sudden, so remarkable, and so characteristical of a versatile statesman, was this, Mr. Wilkes had printed privately a book, which contained some prophane reflections on the Athanasian creed. The earl had read it, and bestowed the highest encomiums on its author, who had only exposed a composition, of which Tillotson and many other grave divines had wished us well rid. This book, which the persecuted author concealed with care, *two pious earls employed their emissaries to steal. Bribes, promises, and wheedling effected their purpose: a copy was procured: it was produced as evidence against the culprit, and published for the first time by the lords and commons. Had not these treacherous arts been used, it is more than probable, that the world would never have known any thing of this great stumbling block to the godly. And it is certain that private opinion is no legal object of censure; and that the laws of England particularly, could not have touched Mr. Wilkes. But the point was to ruin so formidable an antagonist in the opinion of the people: all advantages were therefore to be taken: and it must be owned that the ministry and their adherents were not greatly checked by scruples of conscience. Though all the evidence against him was procured in a manner directly contrary to law, and subversive of all liberty, no attention was paid to this circumstance; nor was it ever enquired, whether the North Briton, the original cause of his disaster, was dictated by the pen of truth or falsehood. Being once christened a libel, it underwent no further scrutiny, but was supposed to contain every thing that was criminal. It is not that we think it unexceptionable in this respect: on the contrary we hold that passage, which asserts that the peace was of no service to the king of Prussia, a direct falsehood; as it was expressly stipulated in the preliminaries, that Cleves, Wesel, Guelders, and in general all the Prussian territories occupied by the French, in the name of the

* The earls of S—— and M——.

the Empress Queen, shall be evacuated. But that circumstance does not prevent us from censuring the excessive rigour and injustice of his prosecutors, or the desertion of Pitt, who, if he could not be his friend, ought not to have commenced his enemy, and called him the blasphemer of his God, and the reviler of his king. When he made a sacrifice to the publick opinion, he should have shown more reverence for himself. The Essay on Woman should at most have shut, not opened his mouth. If he could not speak well of him, he should not have spoke at all, nor contradicted his own private judgment, and publick declaration, when he was entering the house. But where is the man, whose political conduct is entirely without blemish? This is the principal, if not the only fault, which can be charged upon Pitt; and we dare say, that Wilkes himself will forgive it.

Thus violently attacked by the leader of the opposition, he was abandoned by most of the party, which, in order to leave the way open for a return to employment, shewed the sovereign that they were more tender of his honour than the ministry itself; as they avenged his affronts, by betraying their best and most sanguine friend. Accordingly the letter, which he sent from Paris, as an excuse for his non-appearance, and the testimony of the surgeons and notary publick, which vouched the dangerous state of his wound, were neglected; and he was without any difficulty expelled. The house of lords proceeded against him for a breach of privilege, in the person of a *right reverend and orthodox prelate*, who concurred with the ministry in ruining this gentleman for a banter; in the lower courts he was prosecuted for the double crime of blasphemy and a libel; and he was in a short time run to an outlawry. At first the people were staggered: though they did not disrelish the libel, they could not digest profaneness: party rage they could forgive; but an attack upon the established religion, they considered as an attack upon themselves. This

cloud, however, was soon dispersed: when the iniquitous manner, in which the evidence had been procured, was fully known; when it was clearly proved, that he had never been guilty of publishing the idle poem, which rendered his cause so doubtful in their eyes, their affection revived, and their indignation at the tyranny of his enemies, could only be equalled by their execrations of the perfidy of his friends. But their honest attachment and unbought suffrages could now avail him but little; they could not reverse his sentence, nor restore him to his country. An exile in a foreign land, he seemed abandoned by fortune, and destined by an excess of spirit to irrecoverable ruin.

As the crown had been hitherto interested in every great question that was agitated in the lower house, the dependent spirit of the opposition left the ministry entirely triumphant. When the general warrants used in the prosecution of the offence, which had been so rigorously punished, came under consideration, the victory was more dearly bought, and less complete. The people in general were uneasy, and the most sober and thinking persons were seriously alarmed, at a mode of proceeding adopted by a great office, in spite of the clearest principles of law, and the genius of the constitution. The long and uninterrupted course of precedents, by which it was sanctified, only rendered the danger more alarming. Many were therefore of opinion that, in order to remove the fears and jealousies of the publick, the practice ought to be formally condemned by the commons. This was a part in which the ministers were extremely tender, if not sore, because it deeply affected their character among the people, whose sentiments of it were already not very favourable. Hence, when a resolution declaring, that a general warrant for apprehending the authors, printers, and publishers of a seditious libel, and for seizing their papers, is contrary to law, was proposed to be passed, they strenuously exerted all their power and influence for its prevention. Their opposition was not grounded

grounded so much on the legality of the warrants, as on the impropriety of the method proposed, for declaring the law; for they either admitted or waved that point.

“ The commons, said they, are not the whole legislature, nor the whole or any part of a court of judicature. To what purpose then should they declare the law, when their declaration must prove nugatory? No abuse of warrants can be so dangerous an illegality, as an attempt to destroy the distinct boundaries, which the wisdom of the constitution has assigned to the different powers, of which it is composed. This procedure must be productive of nothing but confusion and injustice; as the inferior magistrate can have no certain rule for his conduct, nor any standard, by which it may be tried: for, whilst he is turning over acts of parliament, or the pages of the common law, and endeavouring to extract from them the rule of legality, upon which he is to form his conduct, there may be, for aught he knows, another in the journals of the commons. An action, for which he may stand acquitted before his ordinary judges, may be condemned by that body; and though he can in no case entertain a doubt of their power, he may in this of their authority. So that he will thus be distracted between the dread of their power, and the necessity of doing his duty; and a general timidity and unsteadiness must ensue, in the administration of justice: a circumstance which will have the most fatal effects upon the peace and good order of the society. Nor will the confusion, which this step must occasion in the supreme courts of law, be less dangerous. The constitution has taught the judges to believe that the judicial power rests in them, and that in the exercise of it they are to be directed only by the decisions of the whole legislature. But when they find that the house of commons presumes to participate, if not to supersede their power; and to alter the

“ ordinary rule, with what degree of calmness of mind
 “ and true judicial resolution can they execute their
 “ high and important office? In vain are they render-
 “ ed independent of the crown, if they are brought
 “ into a state of vassalage to the house of commons.
 “ It matters not how they are influenced, if their
 “ judgment is not left free, and uncontrouled by any
 “ check, but the known established laws of the land.

“ But a general confusion is not the only evil,
 “ which will flow from this resolution; it will be at-
 “ tended with much injustice to individuals. The
 “ legality or illegality of these warrants, is now de-
 “ pending in a bill of exceptions before the ordinary
 “ judges, and will be determined in the common
 “ course of law. Ought we to prejudge the cause,
 “ and while the parties are going through the regular
 “ forms of justice, to call them before us for condem-
 “ nation? We cannot be guilty of such partiality,
 “ nor fix such a stigma on men, who have only fol-
 “ lowed the most numerous precedents, and the prac-
 “ tice of the best times; men, whom their known
 “ character and uniform conduct have secured from
 “ the least suspicion of enmity to liberty; men, who,
 “ if they have committed any mistakes, have been
 “ in themselves or their agents severely chastised by
 “ juries.

“ Though the words expressing this resolution ex-
 “ tend only to the case of libels, yet its spirit and ten-
 “ dency reach all warrants of every form and denomi-
 “ nation. But will any wise, any prudent man, ad-
 “ vise us totally to deprive magistrates of a power,
 “ which often has, and may yet be necessary to the
 “ very existence of the constitution? These warrants
 “ have frequently nipped conspiracies of the most dan-
 “ gerous nature in the bud, and prevented manufac-
 “ turers from emigrating, and transferring the most
 “ valuable branches of our trade to other nations, and
 “ even to our open enemies. However proper this
 “ measure may be at another time, it is now prema-
 “ ture.

“ ture. Let the courts of justice first do their duty;
 “ and if they do not satisfy the publick, it will then
 “ be time enough for us to interfere. But, if the
 “ importance of the matter will admit of no delay,
 “ if the people cannot be convinced that they are free,
 “ till general warrants be declared illegal by this
 “ house; let us proceed in a constitutional and ef-
 “ fectual manner, let us declare them such, by act of
 “ parliament. A resolution is of no force in law; a
 “ bill is the only proper method: as it will show that
 “ our reverence for the constitution is not inferior to
 “ our tenderness for the people.”

By these arguments, which are far from being satisfactory, did the ministers endeavour to ward off the intended blow, and to prevent their conduct from undergoing a parliamentary censure. Since they could not absolutely justify their measures, they evaded an inquiry, and strove to divert the torrent into another channel. But they were hard pressed by the opposition, whose numbers were on this occasion extremely formidable, and whose reasonings were infinitely more solid and convincing.

“ While you are so eager, said they, for postponing
 “ the determination of this point, you advance no-
 “ thing, which can diminish its importance in the eyes
 “ of a reasonable man; you do not suggest a single
 “ hint to disprove the illegality and dangerous ten-
 “ dency of a general warrant. By such a warrant the
 “ most innocent person may be at any hour of the
 “ night dragged out of his bed, and hurried to prison:
 “ his most important, most secret and confidential pa-
 “ pers, are exposed to the indiscretion of the meanest
 “ wretches, by whose negligence or wantonness they
 “ may be destroyed, or lost for ever. Has not then
 “ this mode of oppression, a peculiarly malignant qua-
 “ lity? Does it not exceed all other tyrannical prac-
 “ tices; as it leaves a discretionary power over the
 “ liberty of the subject, not only to the magistrates,
 “ whose wisdom and regard to character may possibly
 “ temper

temper such an arbitrary authority; but also to the inferior officers of justice, the lowest and most abandoned of mankind, who, from the latitude of description in these writs, may indulge their own malevolence or avarice, and imprison whatever person they chuse? What foundation then is there for asserting, that this resolution would introduce confusion into our courts of judicature? You allow, that general warrants are illegal. Is it any thing more than a condemnation of them; and may not any body of men, much more the commons of England, declare their sense of an unconstitutional doctrine? We do not pretend that the commons constitute the whole legislature, nor any branch of the judicial authority: but we hold it to be their clear and undoubted right, a right established by clear and frequent precedents, to censure, by a resolution, any illegal practice, which they observe to be prevalent. This, however, we do not mean to be cited as law in courts of justice, but to serve as a threat and admonition to those courts, and to all persons, publick and private, that they may know what they are to expect, if they presume to transgress the limits of the law, or to make excursions into the regions of despotism. But we are desired to rest our hopes on the decision of the ordinary judges. What frigid, what slavish souls must lodge in the breasts of such counsellors! Must the liberty of Englishmen wait the slow and uncertain progress of a court of justice? Can we look with a passive acquiescence on this kind of legal struggle about our most important concerns, when we see privilege evade the remedy of the subject, and prevent a judicial decision? Matters have been so managed, that the legality of the warrants is not before the judges, and consequently is not in a course of decision. How then does this house, by passing the proposed resolution, usurp the jurisdiction of any court, or predetermine a cause judicially depending before them? It is not, nor ever will be
“ before

“ before them. No injustice can therefore be apprehended by the delinquents, who do not seem quite so innocent as they are represented; for, not to speak of the unnecessary severity, with which they treated Mr. Wilkes, their character is not altogether fair and unspotted, nor is their attachment to liberty unquestionable. They are the pupils of those, who introduced and perpetuated this illegal practice, they are the disciples and abettors of the Walpoles and the Pelhams.

“ Nor need we be afraid this resolution will tie up the hands of the magistrate on occasions, which indispenfibly require general warrants; since, without captiously stirring any delicate question of government, it is solely confined to the case of libels. When any critical exigence occurs, the use of general warrants will be justified by the necessity, and by that alone. But how can the publication of a libel be called a case of necessity? The act of libelling is not like a conspiracy against the state; because prevention as well as punishment is then the object of the warrant. Whereas, after the libel is published, the offence is carried to the utmost length, and admits of no farther aggravation; so that, without any farther inconvenience, or danger, you may wait till proper information enable you to proceed against the offender according to the known and regular course of law. A bill, indeed, for regulating warrants would be liable to those bad consequences so improperly charged upon the resolution, which observes a prudent silence on a point concerning which a law would perhaps make but an indiscreet and impolitick declaration. For, if the proposed statute should wholly condemn such warrants, it must supersede the use of them on the most critical emergence: if it admits exceptions, all becomes again precarious and uncertain; as it is impossible clearly to define, or exactly to ascertain cases of necessity.

In spite of these arguments the ministerial party tacked to the resolution an amendment calculated to exculpate the accused officers of state; as it stated the constant and uncensured practice of office since the revolution. After this alteration it was adjourned without any difficulty for four months, or in other words civilly dismissed: a clear proof that both parties aimed more at injuring one another's publick character than at improving the constitution. Some authors alledge that on this question and on that of privilege the commons discovered much moderation: our opinion is, that this moderation may be more properly termed obsequiousness to the ministry, which, however changeable, or changed, found them always ready to adopt its measures. It is not that there was not a numerous division against them on this occasion. It was indeed so considerable that they might rather be said to have escaped than conquered; the whole fabrick of their power being shook to the very foundation. But the progress of the session discovered what little unanimity prevailed among their opponents. This was the only point on which they could agree to muster their great numbers. The supplies, the most material of all other objects, they allowed to pass without censure. They were raised indeed upon a plan the least obnoxious to clamour, that could be invented: as there was neither loan nor lottery, though both afford no unpleasing opportunities of obliging friends and consolidating connections. As there were exchequer bills to the amount of 1,800000*l.* at a considerable discount, they obliged the bank, as an equivalent for renewing their contract, to take one million of them for two years at an interest reduced by one fourth, and at the same time to pay a fine of 100000 pounds: a bargain, which, as it ought to have been, was the most lucrative, that ever was made with that corporation. Whether it was adequate to the advantages, which accrue to it from trading on the credit of the government, we cannot pretend to determine: as this point was not fully elucidated

culated by the ministers, while they displayed to the public with so much parade their skill in the finances. The rest of the exchequer bills were replaced by new ones; and the produce of the French prizes amounting to 700000 pounds were brought to the current service: his majesty having no claim on them, since he had accepted a certain stated sum in lieu of all his pretensions. A saving of 1,40000 pounds on the non-effective men, which to the reproach of government had hitherto remained unnoticed, was likewise brought to account. With these resources, with two millions taken from the sinking fund, with the usual taxes on land and malt, and some other savings, amounting in all to 7,820,102 pounds, they payed off two millions of unfunded debt, and provided for the service of the ensuing year in all its establishments and contingencies. This scheme of supply the ministers magnified as a master-piece of finance. But, though they valued themselves on every part, the chief topick of their panegyrick was a sum of 40000 pounds, which they pretended to have added to the customs by the appointment of cutters to prevent smuggling. Though the parliament gave them credit for what they said, the public was not so polite. Every part of the account was examined with the utmost acuteness and severity.

“ In some instances, said they, the account is frivolous, in others fallacious, and in all unsatisfactory. “ The debt, which you boast to have payed, is, “ for the greater part of it, so far from being “ discharged, that it is only shifted from the right “ hand to the left, being only postponed to gain “ the triumph of a day to the present, and to lie “ as a heavy burden upon a future administration. As “ to any merit in raising the supplies without additional taxes, you can challenge none. If a minister “ would acquire the honour of discharging any national debt, he must acquire it by improving the “ revenue, or by lessening the interest of the debt. “ But where do we meet with any such operation? Not “ in the present scheme of supply; for the work of “ the

"the minister has been to raise the rate of interest, and
 "to impair the sinking fund, instead of raising the
 "sinking fund and lowering the interest. The neces-
 "sary provisions have been only postponed. The
 "millions of outstanding debts are left unfunded;
 "a circumstance, which must depress all the other
 "stocks. Indeed it has already had this effect: they
 "are now fifteen per cent. below par; and so far
 "stockholders may justly be said to be taxed. Ask
 "the monied interest whether you have laid any tax:
 "they will tell you that their property is worse by
 "twenty millions than it would be, if you would do
 "your duty. If this be not a tax, let us hear your
 "definition of taxing? Then go to the landed in-
 "terest, and enquire what merit you can claim with
 "them. They will tell you that your merit is this:
 "that you will not exert yourselves by an equal dis-
 "tribution of national burdens, but, in order to save
 "trouble, throw upon their shoulders a dispropor-
 "tionate share of the load; so that henceforward
 "they can never expect to pay less than four shillings
 "in the pound. But your cutters have augmented the
 "revenue in the article of tea: nothing can be far-
 "ther from the truth. They have eat up more than
 "they have brought into the exchequer. The en-
 "creased duty upon that commodity has arisen from
 "other causes, from which you cannot derive any
 "particular merit. To compensate these evils, you
 "have sacrilegiously robbed the sinking fund, never
 "considering that, after the several appropriations are
 "satisfied, the remainder may not be sufficient to pay
 "even the two millions charged upon it towards the
 "ways and means. Hence a new burden for the en-
 "suing year. If this plan be pursued, the unfunded
 "debt can in no reasonable time be discharged, and
 "from a rational calculation of its future produce,
 "the whole fabrick must crumble to pieces."

These charges, made with art and boldness, and sup-
 ported with an appearance of no mean skill in the fi-
 nances,

nances, produced a great effect on the minds of the people, who could not help remarking that they were not answered with any degree of success. Yet, still the ministry weathered the storm, and seemed to gather new strength to contend with future tempests. They acquired, at least, no small degree of boldness: immediately after being hard pressed in the question about general warrants, they dismissed from the service several officers of high rank, and distinguished merit in the army: a fresh proof of their haughty and arbitrary disposition. Such punishments for parliamentary conduct are destructive of all freedom in debate; and, however they may intimidate the unsteady friends of administration in one session, they must always excite such a ferment among the people and senate, as to shake it in another.

The state of our affairs in the East Indies has long passed unnoticed; it is now time to turn our eyes to that part of the world: the scenes, which it will present to our view, are equally interesting and instructive. And, that we may be able to conceive how such vast multitudes of Asiatics appear so despicable in the field, when they are opposed by a few Europeans, it will be necessary to explain the constitution of their armies. The great and sudden revolutions, which these countries have of late exhibited, will otherwise be hardly credible, much less intelligible.

With the Indians then soldiers alone do not march out against the enemy: they are followed by an innumerable croud of women, and children, and servants; hundreds of state elephants attend the prince and his great officers: a moveable town of shops waits upon the camp, and the whole country far and near is put in motion in order to furnish it with provisions. Not satisfied with the confusion and relaxation of discipline, which this practice must necessarily produce, they form their armies principally of horse, which are with difficulty supported, and little to be depended on in the day of battle; as the horses of that country are natu-
rally

rally so vicious, that they can never be thoroughly broke in the manege, nor brought to act with the same regularity as a squadron of European cavalry. Though such of the natives as have been properly disciplined, and are led on by European serjeants, make a tolerable figure in the field, yet inexperience makes the body of the people have an invincible dread of fire-arms. From the readiness with which their cavalry engage with sabres, and the backwardness with which they bring their horses within reach of guns, it appears that they do not decline battle so much through fear of their lives, as of their fortunes, which are entirely laid out on the horses that they ride. Nothing is so ruinous to their reputation in arms as their false notions of artillery: terrified with that of the enemy, and foolishly confident of their own, they place their chief dependence on the largest pieces, which they know neither how to manage, nor move. Like the Italians, they give them pompous and sounding names; and not without reason, if size and weight were sufficient: for some of them carry a ball of seventy pounds. When the Europeans, with their light field pieces, move round these enormous weights, and render it necessary to move them, much time is consumed, and if, in the mean time, a shot comes among their bullocks, which are at best untractable, they become quite ungovernable, and make it almost impossible to disentangle from their wretched harness any one, that happens to be slain. As they are extremely tenacious of their ancient customs, the prince appears mounted on an elephant, as well as all his rajas, who command all the troops, which they are able to bring into the field. On one of these, every division of the army keep their eyes constantly fixed; and, if they lose sight of it for a moment, conclude that all is lost. Thus Aurengzebe gained two battles over his victorious brothers, who were treacherously persuaded to quit their elephants, to mount their horses, and pursue the vanquished. Their troops missing them, immediately dispersed.

disperſed. Fighting for a maſter, not for their country, as they are not citizens but ſlaves, they think it idle to continue the ſtrife, when their maſter is no more. The ſame practice continued to this day, affords European engineers an opportunity of deciding the fate of a whole detachment, perhaps of a whole army, by one well-directed ſhot of a ſix pounder; and thoſe enormous beaſts ſeem now to be brought into the field for no other purpoſe, but to be a mark for our artillery. Another ſource of their ill ſucceſs in war is their ſuperſtition. Being extremely fond of all ſorts of wild creatures, they keep great numbers of them, and often viſit them before battle. If they happen to be heavy and dull, it is eſteemed a bad omen, and a ſufficient reaſon for poſtponing an action: if, on the contrary, they diſcover rage and fury, it is reckoned a ſure prognotiſtick of victory. Their cuſtom of giving their own name, and that of their enemies, to two elephants, or ſome other animals, and matching them againſt each other, is not much to be condemned; as they have the policy to make it always a very unequal match, and to give their own name to the ſtronger. It is always laudable to turn even the follies of the vulgar to the advantage of the ſtate. But the greateſt obſtacle of all to their becoming a military people, is, that thoſe who have been once ſucceſsful enough to deſerve the name of fortunate, are, through the prejudice of the country, deemed invincible; a circumſtance, which, as it preſerves them for a time unmoleſted, induces them to ſave the needleſs expence of an army. Hence there are few veterans: moſt of their armies being an aſſemblage of various people, collected from various parts; ſo that there can be no ſuch thing as diſcipline, without which, number is but an impediment, and bravery deſtruction. Though they have ſuffered ſo often and ſo ſeverely, by being ſurpriſed in the night by Europeans, they can never be brought to eſtabliſh order or vigilance in their camp. At the cloſe of evening every ſoldier eats an inconceivable quantity of rice,

and after it many swallow soporifick drugs; so that about midnight, the whole army is buried in a dead sleep, and incapable of exerting their courage or reason. Though the consequences of this habit be abundantly obvious, yet it would appear strange to an eastern monarch, if you should advise him to rectify this abuse, or endeavour to persuade him, that the security of his throne depends on the manner in which a common soldier's meals are regulated. He would never consent to stint him in the use of that opium, which is to warm his blood for action, and to animate his soul with heroism. He would as soon lay aside the use of those silk and cotton robes, in which thus intoxicated they march to battle, or croud into a breach, like a mob of frantick women, destined to move a real soldier with compassion and contempt. Yet, like all women, there is no character of which they are so passionately fond, as that of a warrior; having hardly any other notion of government, they have, from time immemorial, been, and are still, engaged in foreign and civil wars: a necessary appendage, perhaps, to their slavery, and the multiplicity of independent states, which are sown over the peninsula.

Mir Cossim, the successor of Jassier Alli Cawn, was not a man of this character. His mind was too enlarged, his knowledge too extensive, and his genius too enterprising, to copy the example of his Asiatick brothers. His acquaintance with Europeans had given him lights unknown to the natives of that country, and he resolved to convert them to his immediate advantage. Sensible of the degrading state in which he was held by the company's servants, he formed, from the first moment of his elevation, the design of breaking his chain. As he knew that he was not served from friendship, he thought that he owed no return of gratitude. It was, however, necessary to dissemble, and to draw all possible advantages from his alliance, while it could be of service to his cause. By the assistance of the English, he repelled invaders, and secured his frontiers.

frontiers. He defeated Shah Zaddah, with whom he afterwards concluded a treaty, more advantageous to himself, than to the company. By the same means he reduced the rajas, or independent Indian chiefs, who had rebelled, during the feeble administration of his predecessor; and by compelling them to pay the usual tribute, repaired his exhausted finances, and thus secured the discipline and fidelity of his troops.

* Peace and order being at length restored to his province, his next care was to render himself independent of those men, to whose valour he owed his prosperity. After publicly complaining that, ever since his accession to the throne, he had been treated with so much insolence and indignity, that he seemed only to have acquired his new power, to see his person and authority debased, he removed his court from Murshadabad, a city, whose vicinity to Calcutta, gave the factory an opportunity of watching his conduct too narrowly, and of checking his designs in the bud. He moved two hundred miles higher up the Ganges, and fixed his residence at Mongheer, which he fortified as strongly and expeditiously as time and circumstances would admit. Here he began to form his army on a new plan. He collected all the Persians, Tartars, Armenians; and other soldiers of fortune, whose military genius he thought the best antidote against the natural timidity of his Indians. Sensible of the superiority of European discipline, he neglected nothing to introduce it among his forces. Every wandering Frenchman, who had bore arms, every seapoy, who had been dismissed from the English service, he carefully picked up, and distributed among the natives, in order to train them to our exercise. He changed the fashion of the Indian muskets, from matchlocks to firelocks; and because his cannon was nearly as defective as his small arms, he procured from the English a pattern of one, on which he formed

ed an excellent train of artillery. His attention to his army did not render him forgetful of his court, whose factious dissensions and treacherous cabals, had frequently proved more fatal to the Indian princes, than the feebleness of their arms. Without remorse, therefore, he cut off, or cast into prison, every considerable person in his dominions, who had discovered any attachment to the English.

Thus, strengthened by every measure, which an able man, unchecked by conscience, could take, he began to exert that authority, which he thought so firmly and so justly established. His revenue was much superior to that of his predecessor; yet still it fell greatly short of its ancient limits. The free trade, which his own and Jaffier's necessities had extorted in favour of the company's servants, threatened to annihilate his customs; as it drew all the domestick and foreign commerce of the province from his own subjects, and diverted it into a channel, from which he could reap no benefit. This alarming prospect obliged him to subject all the free traders to the regular and equal payment of duties throughout his dominions, and to order that their disputes, if they happened in his territories, should be determined by his magistrates.

* This step roused the factory. Vansittart the governor, repaired to Mongheer in order to expostulate with the Soubah, who answered his remonstrances with a command of temper equal to the force of his reasoning. "If, said he, the servants of the company be permitted, as they now desire, to trade custom-free in all parts and in all commodities, they must of course draw all trade into their own hands; and my customs will be of so little value that it will be more for my interest to lay trade entirely open, and to collect no duties upon any species of mercantile goods. This arrangement would invite numbers of merchants into the province, and encrease my revenues by an encrease of goods for sale; " at

“ at the same time that it would cut off the source of
 “ our present quarrels, an object, which I have more
 “ than any other at heart.”

No reply could be made to this reasoning. The proposed remedy, though an evasion of the late treaty, by which the company's servants were entitled to this privilege, was evidently in his power; unless a war prevented him. The governor, though long accustomed to dictate on such occasions, submitted to certain regulations, which, if not unreasonable, were very unpleasing. The English complained of the rigour and partiality exercised by the Indian magistrates, in carrying them into execution, and soon communicated the same to the factory at Calcutta, which, filled with astonishment and indignation, at finding that an Asiatick prince, of their own creation, dared to be a sovereign, disavowed their governor, and rejected the treaty. Repenting of their late change, and wishing that they had still left Jaffier to slumber quietly on his throne, they solicited Cossim to enter into a new agreement. But now, grown confident of his strength, he charged them with inconstancy and insolence, and refused to negotiate with their deputies. They, yielding in nothing to his spirit, prepared to take the field, and once more proclaimed Jaffier Subah of Bengal; the interest of the private traders, and the leading men, who always gained by revolutions, coinciding in this instance, with the interest of the company, which required, that such a daring innovator should receive an early check.

* The first blow was struck by the English. At Patna, a great commercial city, three hundred miles up the Ganges, they had a fortified factory, which was defended by some European and Indian soldiers. These, upon some provocation, suddenly sallied out, and, without much difficulty, carried this great city, though newly fortified, and secured by a strong gar-
 O 3 rison.

* Year 1763.

rison. The governor fled with his troops into the country. But being reinforced, he returned, and surprised the English, who had neglected every precaution, and dispersed on every side, to waste and plunder this opulent and feeble place. Many of them were cut to pieces: the rest were forced to take refuge in the fort. So sudden and total was the change in their affairs and spirits, that they, who a few hours before were not afraid or unable to storm the city, had not courage to defend the fort. Abandoning it, they crossed the Ganges, and sought shelter in the territories of a neighbouring Nabob. For three days they marched without interruption; but were at length overtaken by a superior force. In the first engagement fortune proved favourable: in the second they were entirely routed; and shared that fate, which might naturally be expected from so rash and precipitate a resolution. At a distance from all succour, and in the center of the enemy's country and strength, they had no safety to hope for, but from the defence of their factory; which the Indians, ignorant of the art of attack, would have with difficulty reduced.

Though the deputies sent to Mongheer had the Nabob's pass, and ought to have been, by the law of nations, sacred, they were in their return overtaken, and slaughtered to a man: an act of barbarity, which hastened the march of the army under Major Adams, who at first had only one royal regiment, a few of the company's forces, two troops of European cavalry, ten companies of seapoys, and ten pieces of cannon. With these he proved victorious in several brisk skirmishes, and cleared the country of the enemy as far as the Cossimbuzar, a considerable branch of the Ganges, which it was necessary to pass, before Murshudabad, the capital of the province, could be reduced. No opposition was made to his passage. He found them, however, to the number of ten thousand, advantageously posted at Balasara, between the river and the city.

By

By a judicious movement he forced them to begin the attack. They advanced with great spirit, and bore the cannonade without flinching; but, at the distance of fifty yards, they received such a storm of musquetry, as obliged them to retire with precipitation, and to abandon the field without any new effort.

Adams, with that rapidity which is always useful in war, but was here indispensable, as the periodical rains began to fall, marched forward; but found in his way the enemy defended by an entrenchment fifteen feet high, and by a numerous artillery. It would have been madness to think of forcing so strong a post; yet, it was necessary to carry it by force or by stratagem. He made a feint of attacking them where their principal strength lay, while the body of the army marched in the night to the opposite quarter of their line, and mastered it without difficulty. Surprised and astonished, they fled—and abandoned the camp and the city to the conqueror.

This great advantage did not slacken the diligence of the English: they penetrated into the inmost recesses of the province, and, crossing the numerous and wide branches of the Ganges, sought out the Subah through marshes and forests. He was not remiss in his own defence. Knowing the inferiority of his troops, and the slight attachment of Indian subjects to their prince, he never ventured the final decision of the war on the issue of a single battle, nor hazarded his person in any engagement. The faithlessness of his grandees, who might by treason erect their own fortune on his ruin, deterred him from the latter; and the former could never be esteemed a wise measure by a man, whom the experience of others had taught that an innumerable rout of undisciplined troops only confounds veterans, and contributes to the greatness of a defeat.

But the English attacked him before his army was thoroughly completed in their new exercise. Yet, still they found it sensibly different from all Indian troops,

with which they had ever contended. On the banks of the Nuncasnullas, they found twenty thousand horse, and eight thousand foot, excellently posted, well defended by a formidable train of artillery, divided into regular brigades, armed and clothed like Europeans, and reflecting themselves in order and spirit. What was never before attempted by Indians, they did not discharge a cannon till the English began the attack: the cavalry attacked the European regulars, at the distance of twenty yards, with uncommon resolution; a constant fire being maintained for the space of four hours. At length they were obliged to quit the field, and abandon all their cannon.

After this decisive proof of European superiority, they never ventured upon a regular engagement in the open field. But they showed neither want of skill nor discipline in defending fortified places. At Auda Nulla particularly, they held out with much art and perseverance. Being at last overpowered by a stratagem, they suffered an incredible slaughter; and, in consequence, Mongheer, Cossim's residence, and the center of his operations, was surrounded, after nine days open trenches.

Nothing now was wanting to the complete reduction of the whole province, but the taking of Patna, the last hope of this merciless barbarian, who, incensed at the progress of Adams, caused, in a fit of revenge, two hundred Englishmen, that had been made prisoners there at the beginning of the troubles, to be massacred. One Someraw, a German, who had deserted from the company's service, was chosen for the perpetration of this villainy. On the day intended for butchering these unfortunate persons, he invited forty of the most considerable to supper at his house, and, in the midst of convivial mirth, when they thought themselves protected by the laws of hospitality, as well as of war, the ruffian ordered the Indians under his command to cut their throats. But even these barbarous soldiers revolted at the thoughts of such a savage massacre.

massacre. They refused to obey, except arms should be put into the hands of the English. Compelled, however, at last, by threats and blows, they attacked these unhappy victims, who, though surprised and unarmed, made a long and brave defence, killing some of the assailants with their plates and bottles. In the end they were all murdered; and the rest of the captives shared the same fate.

But this enormous crime did not long remain unrevenged: Adams soon laid siege to Patna; and, though it was garrisoned with ten thousand men, and protected by several large bodies of horse, which hovered on the skirts of the besiegers, he took it in eight days by storm, and forced the faithless Cossim to take refuge in the territories of Sujah Doula, a neighbouring Subah, who acted as visir to the Great Mogul.

In this war the troops in general behaved with uncommon bravery. The officers deserved the highest praises, and Adams gained immortal glory. His plan of operations was well laid, well followed, and rapidly executed. In less than four months he completed, the first of any European, the entire conquest of the kingdom of Bengal. In that time he gained four capital victories, forced the strongest entrenchments, stormed two fortified cities, took five hundred pieces of cannon, and drove into exile the most implacable, the most resolute and subtle enemy, that ever we encountered in India.

The downfall of Cossim enflamed rather than extinguished the fire. The Indian princes, sensible that against European invaders, the cause of one was the cause of all, were alarmed for the balance of power, and at the instigation of the fugitive Subah took up arms against the English. The death of Adams, whose name was so terrible to them, contributed to this event. The Shah Zadah and Sujah Doula, Nabob of Oude, united their forces, and threatened, at the head of an army amounting to fifty thousand men, to restore the exiled Cossim. Major Munro, who succeeded Adams,

seems

seems to have copied his example, and to have acted with equal prudence and spirit. He marched directly in quest of the enemies, and found them encamped on the banks of the Camnassary, with every advantage which nature and art could bestow. In their front lay a morass lined with cannon, which could neither be passed nor doubled without extreme danger. At the only end, by which they were accessible, stood a wood occupied by Indians, who were destined to gall them in their approach. Munro, that he might have leisure to reconnoitre so formidable a situation, before he formed any scheme of action, pitched his tents almost within cannon shot of their camp, having previously disposed his men so as to be ready to form upon any emergency. This precaution was far from being superfluous: as he went next morning by break of day to view their position, he found them already under arms. Returning upon his steps, he formed his line with all expedition, and after various movements to clear the morass, and elude the enemies cannon, which kept up a regular and galling fire, he reached them, and in the space of three hours gained a complete victory. Six thousand Indians were left upon the spot, a hundred and thirty pieces of cannon, with a proportionate quantity of military stores, were taken, and all their tents ready pitched were abandoned. This advantage, over the three greatest powers in India, cost the victors, in killed and wounded, but 109 Europeans, and 700 Indians.

Nothing now remained to Sujah Doula, on his side of the Camnassary, but a single fort, exceedingly strong by its elevated situation on a craggy rock. A practicable breach in the walls being effected by artillery, an attempt was made to storm it in the night. But the assailants were repulsed with torrents of stones poured down by the garrison. Shame, and a sense of honour, tempted them to renew the attack on the ensuing night, but they met with no better success. Munro, therefore, drew off the troops which he had sent against it, resolving

resolving to reserve their conduct and courage for a better occasion.

Affairs were thus circumstanced, when the major was recalled, and succeeded by Sir Robert Fletcher; till Major Carnac should arrive to take the command, and crop the laurels of other men. Sir Robert, emulous of the glory acquired by his predecessors, determined to signalize his own name. He broke up his camp under the walls of Baheres, which had been taken, and marched in quest of the enemies, whom he chafed before him. Next he turned his thoughts to the reduction of the fort, which had proved impregnable to the efforts of Munro. Three practicable breaches being made, the governor came, in sight of his troops, to Sir Robert, and with tears in his eyes delivered up the keys. "I have (said he) endeavoured to act like a soldier; but deserted by my prince, and threatened by a mutinous garrison, what could I do? God and you (here he laid his hand on the Koran, and pointed to the soldiers) are witnesses that I yield through necessity, and that to the faith of the English I now trust my life and fortune." These sentiments show that Indians are capable of heroism, and that, if ever they be properly trained to arms, they are not to be despised. His next and last exploit was, the taking of Eliabad, a great and strong city lying seventy miles higher up the Ganges.

Here he resigned his command to Carnac, who made the best dispositions for securing the new conquests, and for restoring order and government to the country. For some time he met with no opposition. Sujah Doula was not in a condition to give him any molestation; the battle of Buxar having given an irreparable blow to his credit and power. The Shah Zadda had gone over to the English, and his army had gradually crumbled away. Yet, still finding a resource in his own steadiness and courage, he resolved not to fall in an inglorious manner. He exerted himself in collecting the remains of his routed armies; and, as he knew

knew that they alone could not prop his falling fortune, he applied for assistance to the Marattas, the inhabitants of the mountainous country to the south-west of his province. They are an original tribe of Indians, who were never perfectly subdued by the Mogul Tartars. Their principal strength consists in horse, with which they over-ran, and rendered tributary several provinces of India, spreading terror and devastation around them. But their fame in arms ceased, when they encountered the English. Meeting Carnac at Calpi, they were totally routed, and obliged to seek for shelter in their own mountains.

Baffled in all his military schemes, Sujah Doula formed a resolution worthy of the spirit and policy of his character. Thinking it better to throw his life and fortune upon the generosity of a brave enemy, than to wander a forlorn and fugitive exile, and be an unwelcome burden upon temporary friends, who might purchase their own safety by his ruin, he determined to anticipate his fate, and to surrender himself. Having, with a spirit of fidelity unusual in that country, allowed Cossim and the assassin Someraw to escape, he appeared in Carnac's camp; nothing being previously stipulated in his favour, but that he should be disposed of according to Lord Clive's determination.

Thus ended the war, which was kindled by Cossim. Whatever may be thought of the motives which led us into it, the conduct and courage, with which it was carried on and concluded, cannot but do us lasting honour. The two most powerful princes of India were reduced to the necessity—the one of wandering as a vagabond in a foreign country, the other of receiving his crown from the servant of a company of merchants. The Mogul himself was equally humbled: he owed his diadem to the same power. Can the history of ancient Rome exhibit greater triumphs?

When the Company received intelligence that this war had broke out, they were greatly alarmed: they trembled for their existence. Under the influence of

such

such

such a panick nothing seemed to them capable of re-establishing their affairs but the name and fortune of Lord Clive, to whom former success had given the character of invincible among the superstitious Indians. They forgot that other officers had gained equal honour, though not equal fortunes, in that part of the world. As if the enemies were at their gates, they created a dictator; they invested him and four other gentlemen with unlimited authority to examine and determine every thing, independently of the council, as long as Bengal remained in a state of war or confusion. These extraordinary powers were not granted without a vigorous opposition. Two considerable proprietors, who entered a strong protest against them, represented the commission as illegal and inexpedient; but the general fear over-ruled their objections, and the select committee, as it was called, failed for Bengal.

Before it arrived, Jaffier Alli Cawn, who had experienced such a variety of fortune, died, and nominated his son, Najem Doula, his successor. The council, after some consultation, confirmed his choice; because it was conformable to the form of succession in those countries, which prefer the son to the grandson in the elder branch; and because from his personal character he seemed likely to be contented with a moderate share of power. As the twelve thousand men, which the late Nabob was obliged by treaty to support, were never found to prove serviceable, the new one was obliged, much against his inclination, to settle eight hundred thousand pounds, payable out of his treasury, upon the company, who undertook to maintain a sufficient force for his and their own security. He was allowed to keep no soldiers but a few for parade. They likewise forced him to deliver up Nuncomar his prime minister, and the instructor of his youth, and to accept one of their appointment, who was intended to be as a spy and controller of his actions. They assumed a negative in the nomination of superintendents

intendents and other officers employed in collecting or receiving the revenues, and insisted on his paying all due respect to any complaints, which they might prefer against the misbehaviour of those, who already were, or should be, appointed.

Notwithstanding the rigour of these terms, large presents were, according to the usual custom, bestowed on the English negotiators. As if they had conquered an enemy, and exacted an indemnification for losses sustained, they obliged the Nabob to pay them handsomely for his elevation. Being in a country distinguished for riches and venality, a country, where the feeble protection of the laws, and the precariousness of private property, renders sumptuous presents customary, they did not think themselves obliged to give the natives an example of self-denial, or to set up for a reformation of manners. Afraid of such dangerous innovations, they opened their palms to the usual offerings, and, as they took the trouble of being the arbiters of peace and war, resolved not to labour in vain. The company, apprehensive that this practice might prove more advantageous to private persons than to the general interest, had sent out covenants prohibiting this traffick, and to be signed by all their servants. These instruments, though they had arrived, were not signed before the date of the treaty with the Nabob; and, as particular mention was made that they should affect no previous acts, the acceptance of the presents seemed to be just and valid. Matters appeared in a different light to the secret committee. Whether they actually perceived some traces of iniquity, or were chagrined that any but themselves should make a lucrative bargain, they began a rigorous enquiry into the whole negotiation, and passed several resolutions severely reflecting on the council and their deputies. Their pretence for this odious conduct was that luxury, corruption, and the avidity of amassing large fortunes in a little time, had so totally infected the company's servants, that
nothing

nothing less than a total reform, a perfect eradication of these vices, could preserve the settlement from immediate ruin. Fortunes of a hundred thousand pounds, said Clive, have been acquired in the space of two years, and individuals very young in the service are returning home with a million and a half. What more needs be said in justification of the secret committee's conduct?

These accusations, said the other party, might have some weight, were they made by men, who were not equally culpable? Have not you, who arraign us, amassed by the very same arts princely fortunes? Yet you cannot boast superior merit. The danger, which was removed by the battle of Plassey, was not greater than that, which threatened us before the battle of Buxar. Why should you monopolise rewards? The present happy situation of affairs is owing to our conduct, spirit and industry. We cannot be bound by covenants which we did not sign. The presents, which we received, were conformable to the custom of the country, and to the practice of the company's servants in all former periods; and they were accepted with great honour, as all the proposed articles were previously settled without relaxing on a single point, though great offers were made for that purpose. The salaries allowed by the company are so trifling that no gentleman can pretend to live upon them in this country: much less can it be supposed that they will run such risks of health, fortune, and life, in a distant clime, if they are not allowed some compensation.

These dissensions were greatly increased by a very irregular and indeed odious step of the committee. Superfeding the gentlemen, whose turn it was to occupy the vacancies in the council, they brought in strangers from Madras: a clear proof how unfit human nature is for the exercise of unlimited power. As might be expected, this tyranny excited loud complaints: a memorial signed by all the junior, and two of the senior, servants, was sent home to the court.

court of directors. The powers, under which the committee acted, underwent a severe scrutiny. As the letter of instructions from the directors limited their authority to the duration of the troubles in Bengal, and as, according to the council, this was the case before their arrival, it was strongly urged that their commission was null and void. But they, regardless of these charges, exerted every power mentioned in their instructions to the full extent, making little or no use of the council, which they sometimes acquainted with their proceedings, but never allowed to give any opinion, much less advice.

In the mean time Clive repaired to the army at Elia-bad; full powers being vested in him and Carnac to conclude a peace with Sujah Doula, whom the council, on account of his obstinacy and implacability, had deprived of his dominions. The Shah Zadda, who had now succeeded his father as Mogul, and had remained with the English since the battle of Buxar, was to take possession of them; as he had discovered an attachment to our cause, and engaged in the war with Sujah Doula against his inclination. These arrangements were entirely disapproved of by Clive. As if he came only to undo what had been achieved by his predecessors, he restored his province to Sujah Doula, and disappointed the sanguine hopes of the Mogul. He pretended that the company's affairs were likely to be involved in an inextricable labyrinth; that the success of their arms promised nothing but a succession of future wars; that to ruin Sujah Doula was to break down the strongest barrier, which the Bengal provinces could have against the invasions of the Marattas, Afghans and other powers, who had so long desolated the northern districts. The Mogul, whose cause the council supported, he represented as utterly incapable of collecting the revenues of Sujah Doula's country without the assistance of their whole force. Nor could their connection with him end here: they must

must have marched their army to Delhi, and established his authority in the empire.

For these reasons his territories were restored to the Nabob of Oudé; a small tract of land, yielding two hundred and fifty thousand pounds yearly, being reserved for the Mogul, who was thus enabled to raise an army, and to take possession of his capital. The company were constituted duans, or perpetual collectors of the revenues of Bengal under the Mogul, to whom they pay annually three hundred and twenty-five thousand pounds: The Nabob, who is collector under them, having 662,500 pounds for the support of his dignity, and the expences of the civil government. They likewise guarantied the respective territories of Sujah Doula and the Mogul, and obtained several articles in favour of their own inland trade.

The advantages accruing to them from this treaty, such as it is, were immense. According to the noble lord who concluded it, they will receive a clear yearly income of 1,700000 pounds, exempt from all charges, expences and deductions. Others, who were not perhaps so well informed, asserted that it would not fall short of two millions. By such a large accession of treasure, they will be enabled to make proper investments from Bengal to China, without draining England of its silver for the payment of the great balance, which is constantly due to that country. Nor will the security and permanence, which they are likely to derive from the treaty, be the least advantage. As they are now a member of the empire according to its ancient constitution, they will have all the support which the Mogul can give; and as the standing forces are maintained by them, they are in no danger of becoming victims to the avarice or caprice of the nabobs. Indeed it is not easy to conceive why such state pageants are at all permitted to exist. The Mogul has frequently offered the nabobship to the Company; and the governor of Bengal might perform that office, as well as the Dutch governor of Batavia does for the

states of Holland in a similar case. If we do conquer, let us conquer for ourselves. Having by the Mogul's free grant a just claim to dominion, let us introduce order and good government among the natives, a blessing, which they can never hope to enjoy, while they are ruled by two powers, whose interests are opposite. Any advantage, which the Indians may be supposed to derive from the revenues spent by their own princes on the spot, will be more than compensated by that security, which will accrue to private property. They will no longer be driven to the necessity of burying their treasures in the earth: a common precaution, which almost swallows up those immense quantities of bullion, which are daily pouring into Europe from the mines of America.

This treaty, however much extolled by the framers, was severely censured by the opposite party. With what face, said they, can you tell us that the Mogul could not collect the revenues of the province of Oudé, when you judged him capable of recovering his own dominions? Was it ever heard before that a prince would be the weaker, the more extensive and fertile were his territories? By this unworthy treatment of the Mogul you have broke the national faith and honour; and at the same time that you have deprived us of a strong barrier against invasions, you have enfeebled his power and alienated his affections. But whom have you given us in his place? Sujah Doula, an able, warlike and politick prince, who is our natural enemy, and who can never forgive the emperor for agreeing to rob him of his province. By your management the Mogul is in such a weak condition that, in order to protect him from Sujah Doula, by whom he is surrounded, we are obliged to keep an army at his capital; and, as if this impolitick step were not enough, you have put Doula in possession of all the fortresses in the intermediate country; that he might have every advantage over us in case of a war. By being guaranties of the dominions of both there is a foundation

foundation laid for continual disturbances and distant military expeditions, which may in time prove the ruin of our affairs, and the total destruction of the settlement. Munro might long before have obtained as advantageous terms; but, as a previous condition, he insisted that Cossim, the author of the war, and Someraw, the murderer of seventy two English gentlemen, should be delivered up. Have not then our two negotiators here again betrayed the honour and justice of the nation? Is it the riches, with which they return to England, that will not allow us to harbour such a thought?

Whether these charges proceeded more from private pique and resentment than from truth and justice we leave the reader to determine. Where they seemed culpable, we have freely censured both parties, which are known to us neither by benefits nor injuries. But whatever merit or demerit may be in the rest of Clive's conduct, the following regulation for preserving the tranquillity of the empire was judicious. Barracks are built in proper places for the troops, which are divided into three parts, consisting each of one regiment of European infantry, of one company of artillery, and seven battalions of seapoys, amounting severally to seven hundred men rank and file. One of these divisions is stationed at Eliabad, a second at Patna, and the third in the neighbourhood of Calcutta.

(1765) The little strength hitherto discovered by the ministry in any question, which did not affect the crown, made many believe that their dissolution was approaching, when they violently dismissed some military servants of the state. But the sympathy between the army and the people was not sufficiently strong to make any great addition to the ferment, which the unconstitutional measures already taken had excited. A large standing army in time of peace was represented as dangerous to liberty; and the jealousy, thus raised, made any rudeness shewn to its members the less obnoxious. Besides, no writers of considerable talents employed their pens in explaining to the publick the

evil tendency of such acts of power. The author of the North Briton was banished, and there remained to animate the nation but Churchill, an author to whom little credit was given, because little was due. Another blow, however, was aimed at administration in the house of commons. The original question concerning the illegality of general warrants was again introduced without any new qualification. But the ministers had art and influence enough to have it amended, or rather altered so much that it was necessary to put the previous question whether it should be at all debated. The question altered stood thus. "In the particular case of libels it is proper and necessary to fix by a vote of the house only what ought to be deemed the law in respect to general warrants; and, for that purpose, at a time when the determination of the legality of such warrants is actually depending before the courts of law, in the instance of a most seditious and treasonable libel, for the house to declare that a general warrant for apprehending the authors, printers and publishers of a libel, together with their papers, is not warranted by law, and is a high violation of the liberty of the subject."

Though this evasion was an improvement upon their plan in the last session, the minority did not allow the question to be carried without a long and warm debate. As the arguments now advanced in consequence of the altered state of the question were different from those urged on a former occasion, they must be recorded.

In the statute called Westminster, said the ministers, telling or publishing false news or tales, which may occasion discord or animosity to arise between the people and the king, or the great men of the realm, is deemed sedition; and it was so treated by that parent of the people, Queen Elizabeth. In the English records frequent mention is made of orders sent by the king to sheriffs and other magistrates to enquire into particular crimes committed within their jurisdiction, and

and to seize and punish the offenders. At the time of issuing the general warrants, which gave rise to this debate, what crime was more common than telling and publishing false news and tales productive of discord between the people, and the king or grandees? In the case of offences not near so heinous it has been customary from time immemorial to disturb the peace of a whole county by that solemn alarm *called bue and cry*, and thus to make it lawful for all persons to stop, and for all magistrates to examine, every stranger for the sake of finding out a single delinquent. To question the legality of general warrants is to impeach the character of the highest, and most respectable tribunal in the realm, if we except the house of lords. The judges of the King's Bench have for many years, that such warrants have been in use, been allowed to be men of the soundest capacity and the most unbiassed integrity. Is it to be supposed that they, who are by law, and must therefore consider themselves, as council for the prisoner, should have overlooked any flaw in an order to deprive a man of his liberty, though it should have escaped his own council; they, who have been so attentive to the letter and spirit of the law as to dismiss of their own accord causes for want of a scrupulous exactness in exterior forms? But were they ever so deficient, would such able lawyers, such enthusiasts for liberty, as were often employed on these occasions, have forgot these objections, had they been deemed of any weight? The silence of such men is allowed to be of great authority even by the chief justice, whose decision gave rise to this question. Will you deny him too the praise of capacity and integrity? By an act of William the Third any person suspected by the sovereign to be conspiring against his person or government may, during the suspension of the Habeas Corpus, be apprehended by a warrant signed by six privy counsellors. The same power is by a posterior act granted to a secretary of state. Can any thing give us a higher idea of that authority, which so many persons

sons affect to despise? Is there not something absurd and preposterous in proposing a resolution so favourable to supposed offenders to that house of commons, which took no steps for the relief of innocent and unfortunate persons confined in private madhouses by those, who had a visible interest in their imprisonment and death? But, were the resolution ever so proper in other respects, it ought to be totally set aside, from the consideration of the question's depending before the courts in Westminster-hall. If it meets with any obstacle, it is because the parties chuse, from a principle of avarice, to be plaintiffs for themselves rather than prosecutors for the publick, and, for that purpose, have recourse to a court established more for the distribution of civil than vindictive justice; though they know that by this process they are likely to be stopped by privilege: especially, since that court's arbitrary confirmation of the heavy damages awarded by juries shews evidently that the juries could not have been entirely unbiassed. If any resolution at all be wanting, it is a resolution for keeping distinct these departments of justice, and for preventing what had ever been considered as fines upon criminals from being given as damages to plaintiffs. This indeed is necessary, where no justice can be expected without throwing a considerable temptation in the way of the plaintiff, as in the cases of usury and smuggling: but the point ought to be precisely defined by an act of the legislature, and not left to the determination of any particular tribunal, whose decisions must in such cases be considered by all sober men as little less arbitrary and unconstitutional than the judgments of the star-chamber.

The minority reasoned with more force. In the reign of Charles the Second, when we need not suspect the judges to have been too partial to liberty, Clarendon was accused of venting opprobrious scandals against his majesty, and of traducing both houses of parliament. The judges being consulted whether such conduct amounted to treason or not, unanimously answered

answered that, if Clarendon's charge was allowed to be true, it could not be treason. Why then was not the falsity of the North-Briton ascertained, before it was adjudged criminal? For by the unanimous determination of twelve judges this circumstance was necessary to render the consequent proceedings legal: Seditiousness and even treasonableness is often a matter of mere opinion; and murder is a matter of fact, yet no coroner, after a murder was found by the joint opinion of twelve disinterested persons, a much more respectable tribunal than any two ministers of state, ever ventured, till lately, to issue out a general warrant for apprehending the unknown perpetrator. If the legislature thought that such libels, as ministers might be pleased to call seditious or treasonable, called for the use of general warrants, they would not have failed to make the due provision. Would they have neglected this case, when they framed the act empowering six privy counsellors to issue, during the suspension of the Habeas Corpus, a warrant for apprehending conspirators? No, their caution in ordering the warrant to be registered in the council books, that the members might be answerable for whatever they signed, shews clearly that they could not be guilty of such an oversight. It is idle to alledge as precedents the orders formerly sent by the king to sheriffs, or the alarm called *bue and cry*. These are cases, in which the national liberty is not concerned, cases, in which nobody is interested to act but for the general good. Had ministers no other object but the public service, they might be safely indulged with general warrants. As to the encomiums passed upon the King's-bench, we could wish the people acquiesced, and had reason to acquiesce in them. They deserve no other answer. If you will, we will allow that a secretary of state is equal to six privy counsellors, and that the lawyers, who did not find out the illegality of general warrants, were men of great sagacity: But at the same time you will permit us to observe that lawyers are

not the most forward in improving the constitution. If the house has been guilty of an error in neglecting to regulate madhouses, it is no argument that they should commit a second error by passing this interesting question over in silence. Nor can it be more iniquitous to pass this resolution, while the affair is in agitation in the courts of law, than it was in the case of Wilkes. If our decision was then to be considered as that of an inquest, or grand jury, which never ought to influence the petty jury, why do we not view the matter in the same light at this juncture? Is it that a reflection was meant to be cast on the conduct of that judge, whom you now accuse, because he would not lessen the damages given by an English jury? At this rate how can a judge give you satisfaction? He must act in an arbitrary, absolute manner, and after incurring the odium of the people, overturn the constitution. Unhappy England! when wilt thou cease to groan under tyrannical ministers? We do not deny that, in order to prevent the increase of rogues and vagabonds, a very alarming evil, the legislature has authorised general search to be made for such pests of society: but we must at the same time remark that no suspected person can be committed, if a responsible housekeeper will give security for his future appearance; and that none committed even on suspicion of felony can be detained above six days, unless an accusation be lodged against them. What countenance then does this practice give to general warrants! If general warrants describing the offence do not bestow on officers in general a right to seize the innocent, they throw in the way of messengers, who are to be so well paid for taking care of the offender's person, a temptation to become spies and informers, and thus frequently to injure the most virtuous in their reputation and fortune. A general warrant for seizing the authors, printers, and publishers of a libel, seditious or treasonable in the eye of a minister, being thus liable to so many solid objections, how much more obnoxious must one for seizing their papers

papers be deemed; since papers, though often dearer to a man than his heart's blood, have neither eyes nor ears to perceive the injury done to them, nor tongue to proclaim it for obtaining redress? A minister, indeed, cannot this way easily satiate his avarice; but he may glut his revenge or thirst of blood; he may combine, disjoin, or garble them, till they become sufficient engines for the destruction of the most innocent, the most valuable persons in the nation. Even a particular warrant for seizing papers, of which the titles are not mentioned, may prove highly detrimental; since the necessary examination of all a man's papers may bring to light certain secrets of no consequence to the publick, but of great disadvantage to the owner. Of this truth Wilkes is a flagrant instance. But the injury done to individuals, is nothing compared to that suffered by the public. Printers and publishers will be thus obliged to read whatever they print, and will consequently print very little: an evil which will be almost equivalent to a suppression of the press. Can any abuse of it be so prejudicial as this consequence? No. The liberty of the press, and of the nation, must live and die together. The printer of a libel may be quite innocent: a tale-bearer cannot, because he must know what he relates. Yet, a tale-bearer was not, by the Saxon laws, to be detained, when he gave up his author. Who ever pretended that a printer might not be seized and detained till he discovered the writer? The cases, in which even a minister can have a pretext for issuing general warrants against the authors, printers and publishers, of what he may call seditious or treasonable, are so few, that they may be justly reckoned among those rare events, of which the legislature have judged it wisdom to take no notice, because a minute detail of all extraordinary cases would swell the law to an enormous bulk. Besides, what case can be well imagined, which may not be seasonably enough remedied, or even prevented by the presentment of a grand jury, or, at worst, by an information in the King's-Bench?"

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If this decision was disgusting to the nation, the rest of the ministry's conduct was alarming. Not contented with fitting out armed cutters, under the command of naval officers, to prevent smuggling on the coasts of Great Britain and Ireland, they obliged all the commanders of war ships stationed on those of our colonies to act in the capacity of the meanest revenue officers: a circumstance, by which their exalted character was debased, and their irregular vivacity and contempt of common forms, that used to be so useful against enemies, became equally dangerous to friends. Unacquainted with the cases in which ships are, or are not, liable to seizure, they hurt the interests of trade in the same proportion that they disappointed the expectations of the Treasury, which foolishly imagined them capable of understanding the multiplicity and intricacy of bonds, clearances, cockets, affidavits, stamps, certificates, registers, manifests, and other injudicious restrictions laid upon trade; a business which requires as much study and experience as that to which they are bred. What greatly aggravated this evil was, that it did not admit of speedy prevention or redress. The authors of the mischief living on an element where civil justice is little known, ventured on shore only in bodies, which intimidated the civil magistrate, or in places where there was no danger of meeting prosecutors. None but the Lords of the Admiralty in Europe could apply the proper remedy; so that, if we consider the time requisite for bringing them authentic intelligence, and conveying back their orders, it may be justly reckoned a providential blessing that our trade in those parts was not irrecoverably ruined.

Alarming as this grievance was, another still worse sprung from the same root. The advantageous trade which our colonies carried on with the Spanish plantations, fell under the weight of the same blow. The new-fangled officers finding that the letter, though not the spirit, of the act for regulating the trade of our plantations, afforded them a plea for seizing all
British

British as well as foreign ships engaged in that traffic, rejoiced to see what they represented as their duty, coincide with their interest. Restrained neither by fear of the inhabitants, nor by that happy ignorance, through which it had hitherto remained unnoticed by the custom-house officers, they totally ruined that commerce, which afforded a vent only for British manufactures, or for such of their own commodities, as enabled them to purchase British manufactures for their own consumption. Hence the colonies lost that gold and silver in bullion and coin, which served as well for current specie, as for remitting to the mother country the balance, which is so greatly against them in trade. Cochineal, medicinal drugs, mules and live stock, with which they used to be supplied, by the same channel, and which were still more necessary than the precious metals, were likewise banished, and reduced the planters to great distress. Ignorance is the best excuse which the ministers could make, for the arrangement that produced this evil: an evil, so much the more alarming, that it could not be constitutionally removed by the Lords of the Admiralty, whose orders, when opposite to law, might well be questioned, if not despised and broken, by the avarice of men, who had once tasted the sweets of such lucrative piracy. Nay, it might even be doubted, whether the legislature would apply any remedy, for fear of offending Spain, who could not without jealousy see former treaties infringed by an act of parliament.

The same misfortune attended the beneficial trade carried on by our American colonies with the West-India islands. It depended on a mutual exchange of articles, which would have otherwise remained useless incumbrances on the hands of the possessors; so that it united in the strictest sense, all the advantages which liberal minds include, in the idea of a well-regulated commerce; both the mother-countries were undoubtedly great gainers by it; but Great Britain seems to have had the advantage of her rival, as it furnished the
Americans,

Americans with specie, both for currency and remittance. Accordingly, it was not only tolerated, but encouraged, 'till the scheme of conquering the French sugar islands, obliged us to consider it, not so much a contraband trade, as a treasonable practice. But when the conclusion of the war deprived it of the sting of treason, it revived with double lustre, and continued upon that footing, 'till this juncture, when our West-India colonists raised a clamour against it, as injurious to their trade, and persuaded our ministers to give it the same fatal blow, which ruined our trade with the Spaniards.

Is it surprizing, that thus treated, the colonists came to the resolution of wearing, for the future, no cloaths, which were not of their own manufacturing? They were already too much in debt to the mother-country, to expect the usual supplies, without making the usual remittances; and not having the usual remittances to make, they wisely began a plan of retrenchment and œconomy, dictated by necessity, but little expected by some wise politicians, who had rather prematurely concluded that, because the American wool is not so fine as the English, they could not possibly live without English finery.

But this spirited conduct was not sufficient to warn the minister to act with more tenderness and lenity. After thus depriving the North American colonies of the resources, which, in some measure, lay within themselves, they enacted in the beginning of the last year a law, which, whilst it rendered their intercourse with other European colonies, in some respects legal, loaded the best part of it with such heavy duties, as amounted to a total prohibition. Not satisfied with imposing this hardship, it ordered all the money arising from these duties, to be paid in specie to the British Exchequer; a regulation, which must have, in time, drained the colonies of what little money remained in their hands. And, as if the best regimen for recruiting an emaciated body, was to leave it no
juices

juices at all, another law was passed, to prevent paper bills from being offered as legal payment, and to call in, at a limited time, any bills that were already issued: so that nothing was left these wretched countries to supply the want of specie, even in their domestic trade. All the money, it is true, was to be reserved for defraying the charges of protecting the colonies, on which it was levied; and several new laws were made for encouraging and regulating their commerce with the mother-country. But unfortunately, the effect of the latter was, if not uncertain, at least remote; while that of the former was immediate and instantaneous. It was idle to alledge, that the money must immediately return to them, for the payment of troops; since, if that was intended, the act would have directed it to be paid at first hand, and not obliged it to make a needless and dangerous voyage of three thousand miles, merely to have the honour of visiting the British Exchequer.

These severe, these impolitic restrictions upon their trade the colonies bore with all that patience and submission, which the most indulgent parent could have expected from the most dutiful children. If they questioned the authority of the supreme legislature to tax them, they were excited to it by a vote of the Commons, implying that, "towards further defraying the necessary expences of protecting the colonies, it may be necessary to charge them with certain stamp duties." This unfortunate and unnecessary step, determined them not only to adhere to their former resolution of wearing no imported finery; but also, to form associations for the encouragement of American manufactures. The heavier the burthen, the more unanimity and exertion seemed requisite to bear it. They suffered enough, as it was, by being forced to make bricks without straw, to carry on trade and manufactures, without either metal or paper-money, to facilitate the undertaking.

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In spite of all these unfavourable symptoms, the ministers were still blind; they could not see the glaring inexpediency of the measures, which they had adopted; but proceeded headlong in the same career. A speech from the throne, which recommended, indeed, proper regulations for strengthening the connection between Great-Britain and her colonies, but which mentioned no amendment in former acts, inculcated proper firmness, in supporting the legislative authority of parliament: a question, which would have been much better avoided; since, if decided in the affirmative, it must have tended to alienate the affections of the colonies; if, in the negative, to increase their presumption, and if left undetermined, to generate a complication of both evils.

This step, however, was only a prelude to the stamp act, the minister's master-piece in the science of finance, in which he affected to be so great an adept. The scheme was postponed till this session, that the colonies might have time to offer a compensation for the produce of the tax. Accordingly, when their agents waited on Grenville, to thank him for this mark of his consideration, he declared himself ready to receive their proposals of an equivalent. But none of them were authorised to specify any terms. Two, who undertook that their principals should pay their proportion of the stamp duties, by methods of their own, could not fix upon any particulars. Though many on this side of the Atlantic considered the minister's proceeding as generous and humane, the colonies viewed it rather as an affront than a compliment, and regarding him more as a servant than a protector, transmitted to the king, lords, and commons, petitions, positively and directly denying the parliament's jurisdiction over their property. All of them, it is true, did not proceed to this extremity; but the vigour of those that did, and the fullness of the rest, ought to have deterred men of common prudence from imposing any new burthen. Or, at least, some vigorous measures should

should have been previously taken, to enforce the execution of the scheme, and to have saved the kingdom the mortification of seeing its authority despised by those, whom the world had hitherto considered its most dutiful subjects. To the honour of a few, however, be it said, the act did not pass in the Lower House, without long and warm debates. The parliament's right of taxation, as well as the expediency of that particular act, was disputed. But a great majority carried the point, and prevented the petitions from being heard; as the agents refused to concur in a new petition, which at the same time that it established a precedent for hearing them, in behalf of their respective colonies, would be a surrender, or at least a tacit acknowledgment, of the right of taxation. In order to complete the odium incurred by this act, the money arising from it was to be payed into the British Exchequer: a circumstance, which in conjunction with others, sowed the minds of the colonists so much, that they could not feel the advantages of the act, which was passed at the same time for encouraging the importation of timber from America.

About this time the king happened to be indisposed: out of regard therefore, to his people, and affection for his own children, he judged it expedient to propose a regency bill, by which he might be enabled to appoint, in case of his decease, the queen, or some other person of the royal family, guardian of the realm, and of the heir apparent, till he should reach the age of eighteen: the guardian thus appointed, being assisted by a council, and subject to the restrictions of the act, made at his father's death. The parliament could have no objection to this proposal. But as the king's nomination, and their confirmation, of any particular regent, might create expectations, if not designs, injurious to the reigning monarch, much must have been left to his choice. Yet many members of both houses, and particularly the ministers, wished to have certain expressions precisely de-

fined,

fin'd, that they might have an opportunity of excluding the king's mother, with whom they were disgusted, because she was supposed, at the instigation of Lord Bute, to have advis'd their dismissal, in favour of Mr. Pitt and Lord Temple, who could not accept the terms which were offer'd: a misfortune, that oblig'd the sovereign to continue them in their office. Their opposition, however, was so awkward, and the fear of offending the royal family, and thus losing all prospect of places, was so prevalent in others, that the Princess Dowager of Wales was not excluded from the regency, but particularly nam'd, as capable of it in the act.

While this affair was under the consideration of the legislature, the journeymen silk weavers of London, reinforced by all those of other trades depending upon that branch of business, assembled by beat of drum, in Spitalfields and Moorfields, and proceeded with colours, expressive of their grievances to St. James's, and Westminster. Conceiving themselves injured by the too free use of French silks, they surrounded the palace, and the Houses of Parliament, and presented a petition for the redress of their complaints. They stopp'd several of the members in their chairs; and though it was only to beseech them in the humblest terms to pity their distress, which was sufficiently evinc'd by their pale looks, hollow eyes, and emaciated bodies: yet as the weavers of the inland towns were said to be hastening up to London, in order to assist their unfortunate fellow-sufferers, the most alarming apprehensions were entertained for the public tranquillity. But the afflicted wretches, who never seriously propos'd to seek redress by violence, were by gentle words, and a little wholesome severity, soon reduced to order. The windows, indeed, of some houses suspected of selling French silks were broke, and a nobleman who had treated their cause with great harshness, was oblig'd to abscond. But no considerable mischief was done, A seasonable subscrip-
tion

tion for their relief; and an association among the principal weavers for recalling their orders, appeased the clamour. Whatever they might themselves imagine, it is certain that their distress did not arise so much from the importation of French silks as from the want of the usual call for the work of their looms in the colonies. This truth must have undoubtedly occurred in the council; and it must have made an impression not very favourable to the ministry on the sovereign's mind which could not help being sowed by the little zeal, which they had lately shewn for the honour of the royal family. When to these circumstances we add that they had come to an open rupture with the earl of Bute by dismissing his brother Stuart Mackenzie, and his friend lord Northumberland, from their employments, we need not wonder that their reign was now at an end.

ROCKINGHAM'S ADMINISTRATION.

(1766) The late Duke of Cumberland was employed in framing a ministry. Having failed in his negotiation with Pitt and Temple, who, sensible of their own weight and popularity, in the nation, were unwilling to lose them by sharing their power with lord Bute and his party, he applied to the marquis of Rockingham, a new man, never yet known to the people as a minister. This nobleman, having no political character to risk, was not so rigid: he accepted and was placed at the head of the treasury; Conway and Grafton being secretaries of state, and Dowdeswell chancellor of the exchequer. Most of the other great offices were likewise filled with men, who were never before on the ministerial list. The duke of Newcastle, who had the privy seal, was the only old statesman, that strengthened their party. Though nothing material could be urged against the general character of this ministry, except youth and inexperience, it did by no means give satisfaction to the public,

public, which could not without disgust see Pitt obliged to decline any share of it. The peerage bestowed on chief justice Pratt was not deemed a sufficient atonement; especially as that popular act was polluted by the restoration of Stuart Mackenzie to the office of privy seal in Scotland for life: a step, which was equally odious and unconstitutional, since it demonstrated their dependence on his unpopular brother, and tended to renew the feudal system, and to make the great offices of state hereditary in certain families. These were the considerations, which induced the city of London to cast an oblique reflection upon them in an address, which they presented to the king on the birth of a third son. Soon after this unfavourable event they sustained a severe loss in the death of their creator and protector, the duke of Cumberland, who was regretted by many as a patriot and profound statesman. Part of his brains was found to be ossified: a proof, that they were excellently calculated for managing the affairs of a nation.

Mean while the Americans, who had been previously soured by injudicious taxes and regulations, hearing that the project of subjecting them to a stamp act was resumed, began to be alarmed for their liberty. The space of time, which the former ministers had injudiciously allowed to intervene between the first proposal, and final execution of the scheme, gave those possessed of political sagacity an opportunity of explaining its evil consequences to the body of the people, and of animating them against it to such a degree, that, when any intelligence concerning it reached one province, it flew instantaneously over all the rest, like fire put to the well laid trains of a vast but well combined mine. Hence arose such heart-burnings among all ranks, and such commotions among the populace as made them forget all differences in religious sentiments and forms of government; the best security, which Great Britain could have for the submission of the colonies to her decrees, except that
of

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of common interest, the strongest and most durable
of all ties.

But however averse the colonies were to this tax, they were not all equally animated against it. Had the first news of its being imposed arrived in one of the most moderate provinces, an example of passiveness might have had great influence upon the rest. Unfortunately the first account reached New England, a colony, which has still maintained that high spirit of independence, which impelled their aggrieved forefathers to remove to the new world. Upon receiving authentic intelligence of this dreaded event, that melancholy, which seized every countenance on hearing that the vote for the propriety of laying it was resumed, was converted to fury, and broke out every where into action.

The ships in the harbour of Boston hung out their colours half mast high as tokens of the deepest distress: the bells being muffled rang a dumb peal: the act itself being printed with a death's head affixed to it was set up in the place usually destined for stamps, and was publicly cried about the streets by the name of the folly of England and the ruin of America. Essays denying not only its expediency but its equity were soon published in various newspapers. One of them was very significantly entitled the Constitutional Courant, containing matters interesting to liberty, and no ways repugnant to loyalty: printed by Andrew Marvel, at the sign of the Bribe refused on Constitution Hill, North America. Its headpiece was still more significant: it consisted of a snake cut in pieces; the initial letters of every colony's name in North America being affixed to each piece, and the space above them occupied by the words Join or Die. To these arts was added the help of pasquinades, puns, caricatures, proverbs, and other common sayings, which by their brevity were easily circulated and retained, and by their expressiveness outweighed many arguments.

These proceedings were followed by events, which might naturally be expected. When the act came at last from the king's printing house, the populace were so violently exasperated that they treated it with all that contempt and indignation, which could be exerted by public authority against the most offensive private libel. As if it had been one of the pope's bulls, it was burnt in various places with the effigies of the men supposed to be most active in getting it passed: while the people of higher rank voted that thanks should be returned to their opponents, and that the pictures and speeches of the most strenuous should be requested; that the former might be hung up in their public halls, and the latter inserted in their books of record.

When these tumultuous proceedings were known in England, several masters of ships refused to take any stamps for the colonies on board; and it soon appeared that this was not a needless precaution. Such as ventured to take them found reason to repent their temerity, when they arrived at their destined ports. In order to save their vessels from fire and their persons from the gallows, they were obliged to deliver up their execrated cargoes to the enraged multitude, who treated them with the same ignominy, which the act itself had experienced. A few took shelter under such men of war as happened to be in the harbours.

Those who had commissions to act as distributors of stamps, met with still severer usage. Some were forced by public oath to renounce all concern in them at this or any future juncture: some returned to the place of their former abode; and others, who were accused of harsh language, or of obstinate perseverance in enslaving their country, saw their effects plundered, and their houses burnt to the ground. Even those, who were without their solicitation or knowledge named, or obliged by virtue of their present offices, to superintend the distribution of stamps, did not escape the fury of the people. A chief justice, who like several governors, was unaccountably pressed

pressed into this service, had his house surrounded, and burnt. Being suspected of having wrote disrespectfully of their conduct to England, he was, in spite of tears and prayers, forced to deliver up the obnoxious letters, and to turn evidence against himself. Nay ships bringing stamped mercantile or custom-house papers for their own security from those colonies, which had thought proper to submit to the act, were compelled to resign them to the multitude, who by way of derision stuck them up in coffee-houses, and then publicly committed them to the flames.

In these riots the better sort of people gradually mixed with the populace. One particularly did not fear to set the act openly at defiance by advertising under his hand that the stamp-masters need not wait upon him; as he was resolved to pay no taxes, which were not imposed by his representatives.

The provincial assemblies, tho' they disapproved of these proceedings, and even offered rewards for apprehending the rioters, who had obliged a chief justice to appear on his tribunal without those ensigns of office so wisely calculated for procuring respect to authority, could not be induced to act with rigour, nor at the instance of the governors to make any compensation to the injured parties. Much less could they be brought to strengthen the hands of the executive power in granting authority to the soldiery to prevent future commotions. Hence no sword was drawn, nor a single musket fired on the occasion; so that the precaution used in privately spiking up the cannon in the forts and ship yards seems to have been quite unnecessary. This conduct of the general assemblies was openly approved and encouraged in some places by assemblies of the freeholders and principal inhabitants, who warned their representatives to oppose any steps for the protection of stamped papers and stamp officers, and to guard against any unconstitutional drafts on the public treasuries; fearing no doubt, that the governors might take this dangerous course without their consent. But the general assem-

blies did not stop here: instead of barely conniving at the tumultuous acts, by which the people asserted their independence, they proceeded to justify them by arguments. And, though they resolved to petition the legislature of Great Britain against the stamp act, it was in such terms as served rather to express their weakness than submission. Their language was that of one independent body to another, when assistance is requested in a case of the utmost distress. Sensible, at the same time, that the chief source of strength is unanimity, they established in the different colonies committees, who were to correspond and advise concerning the common affairs of the whole continent. From these committees were dispatched to a congress at New York deputies, who upon meeting found such harmony in the sentiments of their constituents that after due congratulations they had nothing to do but to sign one general declaration of their rights, and one general petition expressive of their grievances.

In consequence of these proofs of general unanimity those invested with the subordinate parts of the executive power began to join the legislature. The justices of the peace gave public notice under their hands that they declined to act in that capacity; because, in virtue of their judicial oath, they might become instrumental in the destruction of their country's most essential rights and liberties. Last of all, as might be expected, the gentlemen of the law caught the fire of patriotism, and, to such a degree that, they resolved rather to give up their business than to carry it on with stamped papers.

By the first of November, the time at which the act took place, not a sheet of stamped paper was to be found in the principal colonies; except a small parcel, which the governor of New York had through the menaces of the enraged populace delivered up to the corporation of that place on condition that they should not be destroyed. So that all business, which could not legally be carried on without stamps,

stamps, was entirely stopt; except news printing, which was still continued: the printers alledging that, if they put a stop to the press, the populace would treat them with as much severity as they had done the stamp masters. Those who used stamped paper in Canada, where the act was received, could find no sale for their news. Every where the courts of justice were closed and the ports shut. Even where stamps might be had, people of the best fortune chose rather to have the banns published in church than to take out licences for private marriages.

The disadvantages of this stagnation of business began to be severely felt, and ingenuity exerted itself in inventing proper remedies. One projector, fruitful in expedients, found out a species of writing bark, with which, as it was not paper, parchment, or vellum, he proposed to supply those, whose consciences were shackled by the late act. Some governors, whom penalties and oaths bound to the observance of it, thinking the good of the community superior to all other obligations dispensed with the use of stamps; and grounding their dispensation on the impossibility of procuring any, they granted certificates of that circumstance to all outward bound ships, as a protection in all parts of the British dominions. The general assembly of Carolina proposed to their governor to pay no regard to the act, as he had not received it from the secretaries of state, or through any other authentic channel, and forms are essential to all legal proceedings.

But the most essential opposition was made by the merchants, who entered into solemn engagements not to import any more goods from Great Britain, and to recall all orders already given, if they should happen not to be executed before a limited time. They resolved likewise to dispose of no goods sent them on commission, till the stamp act, and even the sugar and paper-money acts were repealed. The people of Philadelphia agreed that no remittances should be

made to England for debts already contracted, nor any lawyers be suffered to commence a suit against a resident in America in behalf of British claimants. These resolutions, which were immediately adopted by the inferior retailers, were not considered as unfair or unjust by our merchants, who saw the impossibility of receiving any balance from the Americans, while their trade, which had been long cramped by various impolitic restrictions, was entirely stopped by the stamp act. What manufactures they found absolutely necessary they took from Ireland in exchange for their hemp and flax seeds; and in the mean time omitted no practicable measures for relieving themselves even from this dependence. At New York was instituted a society similar to that in London, for the encouragement of arts, manufactures, and commerce. Markets were accordingly opened for the sale of home-made goods; and it soon appeared that neither the natives, nor the workmen invited over from England by large premiums, had been idle. Woolens, linens, iron ware of the coarser, but most useful kinds, malt spirits, paper hangings, and various other articles, were presented to the society, approved, and greedily bought up. That materials might not fail, the inhabitants came to the resolution of eating no lamb, and of dealing with no butcher, that should kill or expose any lamb to sale. In short the spirit of idleness and profusion was every where banished by that of industry and frugality. The most substantial, and even the most fashionable people, willing to be the foremost in setting the example to their countrymen, prided themselves in home-spun, or even old, cloaths; sacrificing their vanity, and British finery, of which they used to be so fond, to the necessities of their country. Such were the efforts of all ranks, so prudent and yet spirited were their measures, that the patriotic enthusiasm of the colonies would have overleaped the bounds of nature, and with a single exertion supplied them with all the necessaries of

of life. But to whatever extremities they had already proceeded against the mother-country, they were not satisfied. They talked of stopping the exportation of tobacco from Virginia and South Carolina: a step, which must have deeply affected the revenue, and drained this nation of much specie; as she must have procured such a necessary article from foreigners. Such was the conduct of the great colonies in North America. Those which had been conquered, or settled at the expence of government, submitted more from a sense of weakness than a principle of duty. The West India islands, influenced by the same motive, bowed the head. St. Christopher and Nevis alone ventured to resist. The populace of the former, enflamed by the crews of some New England vessels that happened to be in their harbour, broke out into more violent riots than the North Americans. Not satisfied with burning the stamps, and administering the oath of abjuration to the distributors, they went in a body over to Nevis in order to assist their neighbours in taking the same outrageous precautions.

Such was the critical situation of affairs, soon after the new ministry was formed. Scarce had they entered into office, when almost all America sent letters loudly complaining of several late regulations, and clearly demonstrating their pernicious influence upon many valuable branches of commerce. At home many merchants and capital manufacturers, who were all interested in the support of lawful trade, and in the suppression of contraband, concurred in making similar representations. While these matters were under consideration, that conflagration, of which we have given an account, blazed out at once in America; and, in consequence, an universal stop was put to the course of justice as well as to trade and navigation through the whole extent of that important country: circumstances, which deeply affected the trading interest of Britain, and produced the most dreadful anxiety, which it had ever experienced. The re-
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peal of the stamp act was adopted by the ministry as the only remedy to such a complication of evils. Not but they saw this step must encrease the insolence of the mutinous spirits in America, and be attended with every inconvenience of a concession extorted by the subject from the sovereign. Of this truth they were abundantly sensible; but the bad situation, into which the rash, meddling, blundering politics of their predecessors had brought the nation, left them no other alternative. They understood likewise that the late ministry, who had the natural partiality of parents for their own measures, would charge them with sacrificing the dignity of the crown, and the honour of the nation, to irresolution, or to a causeless animosity against their plan of government. Nor could they be ignorant that the lovers and assertors of high prerogative would upon their own principles join those, who, regardless of right or wrong, wished to see their own burdens lightened at the expence of the colonists, and looked up for instructions to that overruling power, which had since the beginning of the present reign determined the fate of the successive administrations, and had already discovered its disapprobation of the measures now embraced.

Foreseeing the powerful opposition, which was formed against them, they avoided the two extremes, on one of which it was apprehended that they must have inevitably struck. They neither precipitated matters with the Americans by the rashness of their councils, nor gave up the dignity of the nation through weakness or timidity. The temper and firmness observable in their dispatches to the American governors gained them no little credit. By preserving a wise medium, by suspending their own judgment, and abstaining from violent coercive measures, from which honour would not allow Britain to recede, they neither urged their fellow-subjects to unpardonable acts of desperation, nor prevented the legislature from embracing pacific councils: an advantage, which

which could not have been expected under the former ministers, whose prejudice and passion pointed the severest invectives at the present for not having supported the authority of parliament with fire and sword, and, like them, acted systematically wrong.

In the mean time the American affairs were become the subject of general discussion; and numberless pamphlets were published on both sides of the question. The advocates for the colonies carried the idea of liberty to the highest pitch of enthusiasm; and their antagonists seemed to imagine that a person forfeited every privilege, every birthright of an Englishman by crossing the Atlantic. Those, who affected the appearance of candour and impartiality, alledged that the former, by considering the colonies as states rather allied, than subject, to the mother-country, furnished the strongest argument for giving an early check to this licentious spirit of freedom, and convincing them of their dependence; and that the latter, by displaying their great power, opulence and population, sufficiently evinced the necessity of treating them with cautious tenderness; since, if their calculations had any solid foundation, it must be impossible to retain them long in subjection.

Thus stood the affair, when the parliament sat, and at the request of the crown, which directed the fullest information to be laid before it, took the subject into consideration. The debates turned upon two hinges, the right and expediency of taxation. The ministers, who were joined by a great majority, affirmed the right but denied the expediency. "The constitution of this country, said they, has been always fluctuating, always gaining or losing: even the representation of the Commons was not till the reign of Henry the seventh reduced to any fixed system. What does it avail then to recur to ancient records, when the constitution is no longer the same; when no body can ascertain its state at the times which are quoted, and when there are even in the great charter things, which
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are no more constitutional? Such misplaced industry is as idle as all that mass of learning and dissertation collected from natural lawyers, such as Locke, Selden, Puffendorff and other speculative men, under whose arguments and refinements the subject has been almost buried. Beyond the æra of Edward the first, or king John, the mode of taxation is involved through the uncertainty of history in doubt and obscurity. Some of the writs upon record were conformable, some contrary, to law. Of the latter sort are those issued for raising shipmoney and extorting benevolences. Can any just conclusion be drawn from such discordant, such opposite precedents? The marches of Wales did not long enjoy the privilege of taxing themselves: they were upon the accession of the prince of Wales annexed to the crown, and subjected to the payment of taxes, like the rest of England. Henry the eighth was the first, who issued writs for the return of two members to parliament. Before his time this point was left to the discretion of the crown: a circumstance, which caused the great inequality observable to this day in our representation. The same prince allowed Calais the right of sending one member to parliament; and one of the counties palatine was taxed for the space of fifty years, before it acquired the right of representation. Where then is the propriety of saying that representation and taxation are inseparably connected, or, at least, that they have been so in England since the first origin of the constitution? It is equally absurd to draw any inference from the case of the clergy; because they were at no time unrepresented. They had always a right of voting singly in the election of members; they had bishops and abbots, as representatives, in the house of lords, and they were obliged by petition to obtain the consent of parliament for taxing themselves. Any reasoning founded on the conduct of antiquity to their colonies is but an useless display of learning. None of the antients formed a regular system of

colonization

colonization but the Romans; whose plan being military implied a boundless and uncontrollable authority. The states of Holland were not colonies; and nothing can be more different from colonies than that inundation of men, who poured into the Roman empire from the North. These barbarous emigrants renounced all connection with their native deserts, and forests, which upon their departure remained generally unpeopled, till another race of savages was forced to occupy their place. But our colonies emigrated under the sanction of the crown and parliament; and, though their governments were modelled by charters, grants and statutes, they were never emancipated, much less dismembered. They do not themselves deny their dependence on the crown. How then can they help acknowledging their dependence on parliament, when both are inseparable, and constitute one single, undivided and indivisible authority? As soon as the commonwealth parliament was formed, it discovered great jealousy of a separation of the colonies, and passed an act establishing their authority over them. It is a question whether this act be not still in force; and if it should not, constant usage without any express law is sufficient to determine the point. For have not the colonies submitted since their first origin to the jurisdiction of England? Have they not appealed to the privy council in all questions concerning property; and have they not been decided, not by the law of the colonies, but by the law of England? They have been frequently at variance. New Hampshire and Connecticut have been in blood about their limits; Virginia and Maryland have taken up arms against each other: circumstances, which shew the necessity of one supreme jurisdiction, to which all the inferior may recur. As the constitutions of the several colonies are composed of different ingredients, they must from the nature of things and their particular relations remain dependent upon the mother-country or suffer a total amputation. No
man

man entertained a contrary opinion, till the trumpet of sedition was lately blown. Acts of parliaments restraining and regulating their trade have been passed not only without the least doubt of their legality, but with the greatest applause. The Navigation act shut up their commerce with foreign nations and made it center in the bosom of that country, from which they derive their origin. Port duties, cramping and diminishing their trade, have been imposed without murmur; and regulations, such as the post, directly affecting their interior commerce have been embraced with alacrity. Till of late none entertained the most distant suspicion that they were not to be taxed, regulated, and bound by parliament; protection on the one side necessarily implying obedience on the other. Any corporation in England may claim the privilege of taxing itself as well as the colonies; for they are virtually, if not actually, represented as fully as the majority of Englishmen. A tenth of the people have no voice in elections. Every objection therefore drawn from this source is equally conclusive against the constitution. But such reasonings have but a sandy foundation; since a member chosen for a borough represents not only the constituents or inhabitants of that particular place, but the inhabitants of the whole kingdom. In the same manner that he represents London and all the commons of the island, he represents the colonies; and is in duty and conscience bound to consult their interest. The distinction of external and internal taxes is entirely false and groundless. If we have a right to lay the one, we must have the same to lay the other; since the effects of both are the same, and they differ only in the places of collection. A tax is like a pebble dropt into a lake, and making circle after circle, till the whole surface from the center to the circumference is agitated: for nothing can be more evident than that a tax laid upon tobacco either in the ports of England or Virginia is as much a duty laid upon the inland plantations of Virginia, as if

if it were collected a hundred miles up the country, on the spot, where the tobacco grows. Besides, were there no other argument, the unwarrantable proceedings of the colonists will justify any exertion of power; for they have absolutely forfeited their charters by appointing deputies to a general congress, which was only another name for an universal conspiracy against the dignity and legislative rights of Great Britain."

Those, who embraced the opposite side of the question, among whom were Mr. Pitt and lord Camden, argued with more force as well as eloquence. "We acknowledge, said they, that the constitution has been always in a fluctuating state, and that the earlier periods of our history are not without obscurity. But does it hence follow that we are to form no analogical reasonings upon them? Because we know not the whole, must we make no use of what we do know? Had our ancestors argued in this manner, and built their arguments upon the actual state of the constitution, they would have crouched beneath the rod of tyranny, when it happened to be shook over them, and would never have made a single effort to recover their just rights. We might now have groaned in vain beneath the yoke of despotism: This doctrine is equally pregnant with absurdity and mischief. Let the actual situation of affairs be ever so bad, we must not look up to our forefathers for precedents, because the struggles between privilege and prerogative prevented them from being regular and uniform. What then! are there no general maxims, no principles congenial to the constitution to guide our researches in this region, which you represent as obscure and perplexed? What is become of that unalienable right of a British subject, which secures him from being taxed, or judged but by the common consent of his peers? This is the first, the vital principle of our liberty, which is antecedent to all political charters; for it is the charter of human nature, and is inherent to all freemen. Nor can it be forfeited even by slaves: they may

may resume it, whenever power reverts into their hands. Our great charter, the bill of rights, most of our writs for electing members, bear witness to this truth, without which, as a clew, our history cannot be unravelled. Can it then be conceived that the colonists did not emigrate with this right, which does not depend upon particular charters, but upon human nature? Their charters are only the exterior model of their constitution, but this indefeasible claim, this general right of a British subject, is the great internal principle, or soul, by which it is actuated and invigorated. Such is the doctrine of Locke, Selden, and Harrington, men, whom we shall always be glad to find on our side. Those who would ridicule their authority, would do well to postpone their attacks, till their names are become equally respectable. The people of this country have too much sense to be more influenced by titles and high station, than by sense and argument. The case indeed is so plain and evident, that there is no occasion for their authority. What does it avail to observe that one of the counties palatine was taxed for the space of fifty years, before it sent any members to parliament, since that right was at last confirmed; and proved more clearly, than if it had never been contested, the justness of the claim? The rest of the counties palatine, as well as the marches of Wales, continued to be taxed by their own assemblies or parliaments, till they were at different periods melted down into our present form of parliamentary representation. The observations upon the representation of the clergy are equally insignificant. The bishops and abbots did not sit with the lords as deputies of the clergy: that idea is inconsistent with the nature and constitution of that house: they sat there, like the lay peers, by virtue of their baronies. And it is apparent that the inferior clergy were not fully represented in the lower house, but in the convocation. Else how could they be excluded from that house, or allowed to tax their own body?

body? Many entertain too high an idea of parliamentary authority, when they suppose it capable of effecting every thing. It must have the concurrence of the people to establish this omnipotence; else it would be arbitrary and uncontrollable; and uncontrouled power is as dangerous in a small body of men as in a single individual. This right of taxing themselves, which the colonists derive from the same source as the English, is one of these sacred points, which a parliament cannot without profanation touch. By this rule of right, the charters of the colonies are, like all other crown-grants, to be interpreted for the benefit, not the prejudice of the subject. These charters they accepted through mere necessity; and, as it was not of their creation, they cannot be obligatory; the obligation ceasing with the necessity, which was its parent. But, suppose them bound by these charters, they are only bound to that allegiance, which the supreme head of the realm may claim indiscriminately from all subjects. Being originally expelled out of their native country by civil and religious persecution, they settled their present abodes at their own risk and expence; all ties therefore, except those common to all mankind, were dissolved between them and her: obedience and protection being reciprocal duties, they were absolved from the former, as she neglected the latter. What can be more absurd than that the legislature, which had not power to shield them from the violence of the crown, should claim from them that submission, which it would itself refuse to any other claimant? When the people of Britain contended with tyrants, it could not be with a view of copying their usurpation. If liberty be the just right of those, who have sense enough to know its value, and courage enough to undergo every danger and fatigue for its preservation or recovery, the Americans have a better claim to it than the English, since, besides facing in the wilds of America, enemies much more dreadful than any to be encountered by the friends of independence in the

fields of Britain, they had not only renounced their native country and all its tender endearments, so congenial to the human mind, but braved all the perils and hardships of a long voyage, and, after escaping the fury of winds and waves, run the risk of perishing on shore by a slow famine. If, in the first years of their existence, one of the colonies was guilty of some intemperate sallies, and all were exposed to enemies, which obliged them to request assistance from the English, that necessity was now superseded by their own internal strength. Whatever support England gave in their infancy, it must have given from motives of humanity and fraternal affection, or with a view of being one day repaid; and not as the price of their liberty and independence. At least, the colonies cannot be supposed to have accepted it on any other terms; as slavery, to which they have such an unconquerable aversion in every shape, must have been doubly odious to them from the hands of a presumed, but insidious, friend. If the former were the motives, have they not always discovered the strongest gratitude? If the latter, have they not made ample returns by actual assistance, and by the balance accruing from the many restrictions laid on their trade? It is only owing to misinformation, that we lay to their charge the expence of the last war, which indeed took its rise in America, but was entirely a British quarrel, or rather a contention with France for Empire. The Americans had no disputes with the French or Indians, either about the limits of Nova Scotia, or the territories on the Ohio. Till the defeat of Braddock they were never attacked; and the reason is evident; they are not concerned in the Indian trade; it is entirely carried on by British merchants, and with British manufactures. The colonists are chiefly farmers and planters: scarce any article, which they raise, is an object of commerce with the savages. So that the war being commenced for the defence of territories belonging to no American, and for the protection of a trade

purely

purely British, had nothing American in it but the name and scene of action. Yet the different provinces contributed largely towards bringing it to a happy conclusion; and were as forward in their endeavours to render the British arms triumphant, as they were, when they sent three thousand men to assist in the expedition against Carthagera, and as they will always be, wherever the interest of the British Empire is concerned. Their past conduct proves that they make no distinction of wars, but are willing to co-operate with the head of the Empire as far as their power extends. Had the first inhabitants of the colonies renounced all connection with the mother-country, they might have renounced their original right by positive institution, but not that derived from nature. But as they emigrated under the authority of the crown, and with the national sanction, they quitted Britain in possession of this great privilege by virtue of both principles. As they fled from the heavy hand of power, to climes which they hoped to find more friendly to their principles of civil and religious liberty, it has been universally received as law, that acts of parliament, and particularly those which specify any penalty, are not binding on the colonies, unless they are particularly named. The inhabitants of the colonies once removed from the domestic legislation of Britain, are no more dependent on it in the general system than the Isle of Man is, or than, in the feudal system many subordinate principalities were dependent on the jurisdiction of the lord paramount, to whom they owed only a limited obedience. We mean not by what has been said to deny Britain the right of laying external duties and restrictions on their commerce. To these they voluntarily submit, because they esteem them necessary to the trade carried on with us; and because the colonies of all the maritime powers in Europe stand in the same predicament. The duties of the post being solely calculated for their own interest, and a useful regulation rather than a tax, they

have always encouraged on the same principle. But before real internal taxes can be justly imposed upon them by the supreme legislature, they must be represented in that assembly: an event, which the nature of things and the order of providence have rendered impracticable. Nothing can be weaker than to alledge, that they are virtually represented. The Americans cannot in that respect pretend to equal the Irish. Not to speak of the many Englishmen possessed of large estates and great places in Ireland, nor of their immediate descendents settled in that country, many Irish noblemen and gentlemen sit in both houses of parliament; and many more still reside in England. Yet, notwithstanding this virtual representation, the parliament has relinquished all claims of taxing Ireland. Why should America be treated with more indignity? Because they have hitherto submitted to laws enacted by the British parliament? They are no more affected by these precedents than the English are by their tameness under the dictates of the Tudors, or the rod of the Stuarts. But the fact is, that they never did acquiesce in the parliament's right to tax them. The resolutions of the Virginian assemblies are clear and strong against the exercise of this arrogated power. Their protests may be seen in the journals of their house; and it is probable that, upon enquiry, similar acts may be found in the records of the other provinces. It is ridiculous to advance that they are like boroughs, which have only a right to make bye-laws, but are bound by all statutes. All boroughs have representatives: the colonies have none, and therefore cannot be bound by the acts of an assembly, of which they make no part. By the original constitution of their charters indeed, their laws must not be inconsistent with those of England: but this circumstance gives the parliament no more authority over them, than if they had lain under the same restraints with regard to the laws of Scotland, or of any other country. Equally futile is the objection drawn from their toleration of slavery.

slavery. If they be judged on that account incapable of legislation, they will only be placed on a level with the ancient Romans, Spartans, and other nations, who were the most renowned for wisdom and political knowledge. But had the parliament ever so good a right to tax the colonies, it has no right to impose taxes, which are in their consequences attended with injustice and tyranny. By the stamp-act the prosecutor may bring an action against the supposed delinquent in a court situated at one extremity of America, though the trespass was committed at the other extremity, at the distance perhaps of two thousand miles: and yet the defendant, though he should cast the plaintiff, is entitled to no damages, if the judge certifies that there was a probable foundation for the prosecution. Besides, the judge has an evident interest in giving a verdict for the plaintiff, as he is allowed a large share of the penalties by way of commission. Was there ever an act so full of iniquity, so totally subversive of all law and justice! Could the most despotic tyrant expect that the most abject vassals would submit to such an humiliating yoke."

Notwithstanding the force of these arguments, the right of taxation in its fullest extent, was declared in both houses without a division. The more sober and sensible part of the men, who voted for this declaratory act, did not embrace that measure so much from any opinion of its future use in regular taxation, as from a sense of the evil consequences, which would flow from the contrary doctrine. They saw that the general reasonings employed against that power gave a rude shock to our whole legislative right; and they imagined that it could not be yielded to any arguments without a virtual surrender of all our authority. If, said they, this particular power of levying money in the colonies be not retained in our hands as a sacred trust to be used, not in the first instance for supply, but in the last exigence for controul, it is obvious that the presiding authority of Great Britain, as the

head, the arbitress and directress of the whole Empire, must vanish into an empty name, without energy or operation; all unity and subordination will be at an end: if the power be habitually exercised, no trace of freedom can remain to America. A great people, whose property is in all cases, and without reserve, at the disposal of another people at an immense distance, can never be persuaded that they live in the enjoyment of freedom. It will be no easy matter to shew to men in such a state, which of the usual parts of the definition or description of a free people is applicable to them; and it is neither wise nor pleasant to attempt to prove that they have no right to be comprehended in such a description. Whether all this be reconcilable to legal speculation is a matter of little moment. It is reconciled in policy; and politics ought to be adjusted not to human reasoning, but to human nature; of which the reason is but a part, and by no means the greatest part.

The grand committee, which had brought in the resolution, on which the foregoing bill was grounded, had also passed another for the repeal of the stamp act.

But the opposition, far from being discouraged, seemed to gather new strength from the late act. So many instances of the inexpediency of taxing the Americans had already occurred, that the question was hardly controvertible. They changed therefore their ground, and founded their defence upon the bill for securing the dependency of the colonies. According to them, the total repeal of the stamp-act, while such an outrageous resistance continued, would not only lessen our authority, but render it contemptible. Such submission of the supreme legislature to subordinate provincial assemblies, established only by prerogative, which had no such powers to bestow, will discover so much weakness and timidity, as will necessarily breed fresh insults, and produce in the end a total separation. The power of taxation is the most essential branch of all authority; and it cannot be
equally

equally and impartially exercised, if taxes are not extended to all the members of the state, in proportion to their respective abilities. Suffer a part to remain exempted from their share of those burdens, which the public exigencies require to be imposed on the whole, and you destroy by your partiality that confidence, on which all government should be founded. It is in vain that you assert the inability of the colonists to comply with the terms of the stamp-act. The state of their finances overturns your argument. Of the debt contracted in the last war, they have in three years payed off 1,755,000*l.* and the remaining 763,000*l.* will be discharged in the course of two years more. What other proofs are wanting to shew that they are able, though not willing, to ease the mother-country of her heavy burdens? Nothing could be more fatal to the colonies than the parliament's renunciation of its authority, which from long usage has become constitutional; a total dissolution of government would ensue. It is easy to foresee, that from the discordant heterogeneous principles, of which their different governments are composed, there would be no end to feuds and factions, when there existed no power of sufficient force or authority to terminate their mutual differences. A new form of government, or subjection to a foreign yoke, must be the necessary consequence. At any rate they will have reason to lament the hour, in which they renounced their dependence on parliament, whose authority has hitherto rendered their own governments extremely mild to the subject, and at the same time secured them from the heavy hand of the executive power, which in consequence of this new plan will find it an easy matter to turn the arms of one province against another, and in the end, to involve them all in the same general slavery.

The ministry argued with more force and conviction. We have, said they, sufficiently provided for the honour, dignity, and superiority of Britain, by

the declaratory act, which has secured it from the least imputation of weakness or timidity, and consequently from any fresh insults, excited by the insolence of success. We readily admit the propriety of levying on the whole empire a proportional share of the general expence: but the heavy debt contracted by the Americans, in the course of the war, demonstrates that they have not been wanting in that point. The act of parliament, by which part of their disbursements has been since refunded, unanswerably proves, that you were of opinion that they had contributed beyond their abilities. As to any dangers arising from their various governments, and the want of an umpire to settle their differences, they will trust to their own wisdom and prowess rather than submit to a master. Hitherto they have had little occasion to apply to an intermediate power. Having weathered the storm in their infancy, can you expect to persuade them that they will not prove equally successful in their manhood? This remarkable interposition of parliament in their concerns, has not impressed on their minds the most favourable ideas of its justice or wisdom. Their disobedience to this act is universal. Nothing therefore but a strong military, as well as naval force, can reduce the seditious to reason. Nor will it be sufficient to send it to one place: every province of America must be traversed and subdued. Were such a measure embraced, little doubt can be entertained of success. A year or two, at most, would complete the conquest. And, if the question was about reducing a foreign nation; a case, in which every successful stroke would add to our power, and take from that of a rival, a just war, with such undisputed superiority, would certainly be an advisable undertaking. But four millions of debt due to our merchants from the Americans, the total cessation of a trade, annually worth four millions more, a large foreign traffick, much home manufacture, a very capital revenue arising immediately

ately from colony imports, and indeed the produce of all our revenues materially depending on the same cause; all these circumstances accumulated, are very weighty considerations, at least well to be weighed, before we draw that sword, which even by its victories must produce all the pernicious effects of the greatest national defeats. How public credit must suffer in such a crisis, needs not be told. If the condition of the nation, at the close of the last foreign war, was so deplorable as you represent it, this civil war will be found a bad couch, on which to repose our wearied virtue. Far from being able to enter into new plans of œconomy we must launch into a new, a boundless, sea of expence. Such an addition of debt, with such a diminution of trade and revenue, will leave us in no want of your dolorous lamentations to aggravate the picture of our distresses. Our trade at this moment feels these mischiefs to its vitals; and we ought to sympathise with the feelings of the whole body of our merchants and manufacturers, whose numerous petitions uniformly declare that their trade is entirely at a stand, and that it will be totally ruined, if this obnoxious act be not repealed. Will any wise senator laugh at their universal alarm as an ill-grounded or a pretended panic? No: he must allow great weight to their unanimous opinion in every commercial question; nor will he slight their advice in points relating to the revenue. Nothing is more quickly or more deeply affected by taxes than trade; and, if an American tax afforded any real relief to England, no part of the community would be sooner, or more materially, relieved by it than our merchants. But they well know that our trade is more burdened by one penny raised in America than by three in England; and more than by ten, if that penny be raised with the confusion, murmurs and discontents of America. The colonies were evidently founded in subservience to our commerce. Hence the whole system of our laws con-
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cerning them is a system of restrictions. We have established a double monopoly; a monopoly of their whole import, which must be all from Great Britain, and a monopoly of their whole export, which, as far as it can be of any service to us, must be no where but to Great Britain. On the same principle it was contrived that they should send us all their products raw and in their first state, and that they should receive all our goods in the last stage of manufacture. Can such a people be deemed a just object of taxation, or revenue! the original purpose of their foundation must first be eluded, every restrictive trade-law must first have become useless and ineffectual. The Americans are rather factors and servants to this island than subjects, who, being on an equal footing, should bear an equal share of public burdens. They are always in debt to our merchants, because the balance of trade, and consequently the course of exchange, is vastly against them. They have therefore much of the merchants money to trade with as a capital. They are entrusted with many talents, and they do not hide them in a napkin: they return them ten-fold. Are they not then to be considered as labourers to our merchants, as tributaries to this kingdom? In this light they have always appeared to every man conversant in commerce; and there are the surest grounds for concluding that the greater the sums are, with which they are entrusted by our merchants for improving their plantations and staple commodities, the greater will be the advantages, which will accrue to this nation. What then can be more impolitic than to levy by an internal tax, in the laying of which we are, through our ignorance and distance, liable to commit so many mistakes and oppressions, what must finally centre amongst us by the nature of our commerce? Though the American seas are covered with ships, it is with our ships, our sailors, our merchandise. They all labour for us; we are the masters, they the servants, and

and the principal share of the profit remains in our hands. We have every thing but the *peculium*, without which even slaves will not work. What then shall we say to those reasonings, which infer from the many restraints, under which we have already laid the colonists, that they are to be subjected to all manner of restraints? True policy and a little prudence would have taught us that we ought rather to compensate so many restraints by every indulgence not incompatible with our interest. We have the management of a great empire composed of a vast mass of heterogeneous governments, all more or less free and popular in their forms, all to be kept in peace and out of conspiracy with one another, and in subordination to this country: while the whole is pervaded by the spirit of an extensive and intricate trading interest, always qualifying and often controuling every general idea of constitution and government. It is a great and difficult object: heaven grant that we may have wisdom and temper enough to manage it, as we ought. Its importance is infinite. Sixty two years ago our whole trade to the plantations exceeded but a few pounds in exports that, which we now carry on with the single island of Jamaica, and sell a third short of it in the value of the imports. Our dealings with most of the European nations is but little encreased: and we have rivals in their trade. Our intercourse with the colonies is a new world of commerce, which we have in a manner created. It is grown up to this magnitude within the memory of man; its parallel cannot be found in history, and it stands upon principles of its own: principles, that ought not to be sacrificed to any little consideration of extorted revenue; much less to a revenue like this, which is more speculative than real, which is better calculated for enriching a swarm of ministerial creatures than for replenishing the treasury. The vast extent of the country, and the many temptations thence arising to smuggling, must

must render such a number of collectors necessary, that, after they are paid, hardly the value of a peppercorn will reach the Exchequer. And, what is worse, ten times the amount of the tax will be raised on the Americans; as the great distance of the distributors of stamps will often oblige them to take a journey, which will cost them four or five pounds, that the treasury may gain six-pence. Do you recollect that the subjects of this imposition are the descendants of Englishmen, men of a high and free spirit, whom it will neither be wise nor long practicable, to keep under a government made up of nothing but restraints, penalties and taxes, in the establishing of which they have no share? People must be ruled in a manner agreeable to their temper and disposition; and above all people of a free and independent character. The British colonist must see something, which will distinguish him from the colonists of other nations. Will he therefore submit without murmur to a tax, which, if not unconstitutional, is at least impolitic? He must have been sensible that he payed before his full quota of public burdens. Where is the necessary or convenience of life, which he did not receive from this island? Did he not therefore pay every tax, with which these necessities and conveniences are loaded? Nothing is more evident. Not a single manufacture, not a single article of commerce enters an American port without being charged with all our taxes: for the suppression of manufactures in that country comprises every species of taxes in one, and makes the colonists in reality the supporters of a large share of our public burdens. But what do we say? The suppression of manufactures in that country? Alas! that was once the case, but is now so no more. There was a time, when the colonies and this island laboured mutually for each other, and pursued those objects, for which they were severally fitted by their situation and respective improvements. Now, thanks be to the late ministry for it, they are striving
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to undo each other, and in a state of open rivalship. It is not the fault of the same senators, if they are not soon in a state of open enmity and hostility. The evident tendency of their speeches is to hurry us into rash and violent counsels. But it is to be hoped that we have more wisdom, more knowledge than to widen those breaches, which they have made, or to render incurable those wounds, which their folly, madness, or wickedness have inflicted. For these names are due to the treachery, with which they withheld from our view all dispatches, all remonstrances from America against passing the act, as they rendered by these means the wisdom of parliament as improvident as their own temerity. They are due to their obstinate perseverance in error, as they would urge us to chastise, as rebellion, that despair, which is totally owing to their own blindness and precipitance."

In consequence of these arguments the stamp act was repealed, but not without a violent opposition in both houses, especially in the House of Lords, where two protests were entered against it. The repeal, however, gave great and universal satisfaction; all parts of the Empire having fully experienced the pernicious effects of the act. The next step was to pass a law indemnifying those who had incurred any penalties in consequence of the stamp-act, and requiring compensation to be made by the American assemblies to those, who had suffered by riots: a requisition with which, after some delay, they thought proper to comply. The cyder-act, which was so odious to the whole nation, was repealed, and a new duty entirely different in the mode of collection was substituted in its place. General warrants, and the seizure of papers, were declared illegal; and the old duties upon houses and windows were abolished, the rates being settled with much more equity and ease to the lower and middling ranks of people. In consequence of the knowledge of trade acquired by the ministers, during the long debates upon the stamp act, and

and the frequent conferences held with merchants of all denominations, several free ports were, under certain restrictions, opened in different parts of the West-Indies; and some new and important regulations were made in the general system of our commerce with the colonies; some restraints being imposed, and some removed, which were complained of as heavy clogs by the merchants.

Thus had the ministry acquired no small credit by their domestic politics; nor had they acquired less by the spirit of their foreign negotiations. They concluded with Russia a commerical treaty, which procured them the unanimous thanks of all our Russian merchants; and they settled to the satisfaction of the owners the long contested affair of the Canada bills, due to our merchants by the French government. The fortifications of Dunkirk, which, instead of being demolished, they found in a state of reparation, they caused to be destroyed; and they made a considerable progress in adjusting our disputes with Spain, about the ransom of Manila; an important object, which, like Dunkirk, had been through supineness or timidity forgot by their predecessors in office.

GRAFTON'S ADMINISTRATION.

(1767) It was natural for those, who had not thoroughly considered the fluctuating state of administration since the beginning of the present reign, to conclude that, after having weathered such a stormy winter with such eclat, the ministry was fixed on an immoveable basis. They were soon undeceived: to the great surprise of the nation the duke of Grafton was appointed first lord of the Treasury, the earl of Shelburne secretary of state, lord Camden chancellor, Charles Townsend chancellor of the exchequer, and Pitt, who was now created earl of Chatham, lord privy seal. The most sanguine friends of this last personage could not but regret that, instead of supporting such a patriotic ministry, he should have contributed to their downfall. Though they believed himself abundantly capable of supply-

supplying their place, they could not help drawing bad omens from his dereliction of the commons, and his acceptance of a peerage. There was reason to apprehend that the unbounded popularity, which had hitherto rendered all his measures successful, would no longer be his support; as the people began to be jealous not only of his peerage and pension, but also of his new connections.

Not long after the formation of the new ministry the distresses of the poor, from the high prices of corn and every other species of provisions, became very urgent, and produced great and general complaints through the kingdom. Riots and tumults, in which, as in most popular commotions, great irregularities were committed, soon followed. At first the populace only undertook to lower and regulate the markets, and to punish certain individuals, whom they accused of ingrossing, forestalling, and other illegal practices, tending to enhance the price of provisions beyond their just rate. But this moderation did not last long. Heated by mutual commotion, they proceeded to the most enormous excesses: many lives were lost in various places; and the magistrates were at length obliged to call in the military to the aid of the civil power; a measure, which soon dispersed the rioters, and filled the jails with prisoners. Judges were in consequence dispatched with a special commission to try the delinquents, and several of the most outrageous leaders were condemned to die. A few examples were made; but most of them were reprieved; some being transported, some receiving a free pardon.

In the mean time the privy council issued a proclamation for enforcing the laws against forestallers, regrators, and engrossers; a measure, by which that scarcity, which was but too natural, was declared artificial. Besides, the laws in question were so darkly expressed, and so difficultly executed, that little effect could be expected from this step but that of banishing dealers from the markets, and encreasing the scarcity, which

which it was intended to remedy. This truth was so well understood that no pains were taken to enforce the laws, and an embargo upon the exportation of all corn was found necessary, as well as a prohibition to use wheat in the distilleries: expedients, which, though absolutely indispensable at this juncture, were esteemed by the more discerning very dangerous, because they were contrary to the letter of the law, which had fixed the price of wheat, when it could be legally exported, at a higher rate than it had yet reached. No authority therefore, but that of the whole legislature, could in this case lay a constitutional embargo on corn. The privy council, urged by necessity, ventured to dispense with law, and to repeat one of those grievances, against which express provision was made at the revolution. In order then to prevent the establishment of so dangerous a precedent, and to leave to posterity a monument of the punishments awaiting those, who should dare to frame or execute an illegal act, there was brought into parliament a bill of indemnity, which, while it justified the proceeding as conformable to the spirit of the law, censured it as contrary to the letter.

It was remarked that, though this bill provided for the indemnity of the executors of the proclamation, it made no mention of the advisers; as if the privy council, or, what is the same, his majesty, had an inherent right of occasionally dispensing with law. The amendment requisite in this case produced some altercation. The lords Chatham and Camden vindicated the late exertion of the prerogative, not only on the principles of necessity, but likewise on those of right. Citing the words of Locke, they asserted, "That it was ridiculous to suppose any state without the power of providing for the public safety in great emergencies. This power must in all societies be lodged somewhere; and in ours it is lodged in the king. This doctrine is by no means subversive of the security of the constitution, or contrary to the spirit of liberty;

as it can only be justly reduced to practice on occasions of extreme necessity, when the parliament does not sit, and cannot be conveniently assembled. At any rate the evil cannot be very formidable; since at worst it is but forty days tyranny; and there seems to be but little foundation for indemnifying those, who have only neglected the letter, in order the better to preserve the spirit of the law."

The opposition arraigned on this occasion, both the conduct and principles of the ministry. "In the beginning of August, said they, you received authentic intelligence of the state of the harvest, of the quantity of corn in the kingdom, and of the encrease of its price. In short, you became as thoroughly masters of the subject, as you have been ever since that period. Why then did you not issue a proclamation commanding the attendance of parliament on the day on which it was prorogued? The members would have had thirty days notice, and a short session might have saved you the appearance of encroaching on the constitution. But, as if you were resolved to introduce discretionary power, you issued an ineffectual proclamation against forestallers, when the distresses of the poor were risen to the highest pitch; and on the same day prorogued the parliament for the space of near two months. This long, unseasonable, and extraordinary prorogation prevented the parliament from giving any advice with regard to importation, or exportation. No legal provision could be made for encreasing the stock of grain, for quelling riots, or quashing a rebellion. And, after acting in this extraordinary manner, you assign the impossibility of convening the parliament, as the cause of laying the embargo. Not satisfied with these impolitic, unconstitutional steps, you justify your conduct by the doctrine of necessity, a principle on which all the evil practices in the reigns of the Stuarts were defended. When the court-advocates, in the days of Charles the first, would have added this exception of

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necessity to the petition of right, and had procured the assent of the lords, a conference of the two houses frustrated their intention; it being clearly proved that such a salvo must have enervated the whole law. If the plea of necessity is admitted, and the crown allowed to be the sole judge of that necessity, the power is unlimited; because the discretion of the prince and his council may apply it in any instance: a circumstance, by which discretion would degenerate into despotism. For this reason the wisdom of the legislature has deprived the crown of all discretionary power over positive laws, and emancipated acts of parliament from the royal prerogative. The power of suspension, which in other words is but a temporary repeal, resides only in the legislature, the supreme authority of the realm: the same power being necessary to suspend, and to enact laws. The recess of parliament, or the inconveniency of assembling it, are distinctions unknown to the constitution. As it is now modelled, it is always in being, always ready to be called, and that in so great a degree that an expired parliament revives, when it is necessary, and another is not chosen. And, though parliaments were not immortal, their acts never sleep; they are not to be evaded by flying into a sanctuary: no, not even that of necessity. While they exist, they are of equal force at all times, in all places and to all persons; whereas those of the executive power are temporary and instantaneous. Unless therefore it can be proved that, as soon as the parliament is prorogued, the king occupies its place, and continues the operation of its acts, he cannot legally suspend any more than he can make laws. The law is above the king, and he, as well as the subject, is as much bound by it during the recess as during the session of parliament, because no point of time, nor emergent circumstance can alter the constitution, or create a right not antecedently inherent. These only draw forth into action the power, which before existed, but was quiescent; and

and there is no such prerogative in any hour or moment of time as vests the semblance of a legislative power in the king. If the crown has a legal right to suspend or violate one law, it must have the same right to violate another and another, till the whole system of our jurisprudence is overturned. No true distinction can be made between the crown's suspending power and its claim to raise money without the consent of parliament. They are exactly similar, and stand upon the very same ground. They were born and lived together; and it was hoped that they had been buried at the revolution without all power of resurrection. If any difference ought to be made between the antiquated claim of raising money by prerogative and that of dispensing with the laws, it should be made in favour of the former; the latter being the more dangerous of the two, as it is general and includes the whole. As neither of them ever belonged to the crown, no doctrine is admissible, that gives them any countenance. The present distinctions are only alleviations to sweeten a draught, that would be too nauseous without some qualification. The safety of the king, and the security of the people, render it necessary for us to shut up every avenue to tyranny; that, as it has hitherto been, so it may continue to be, the distinguishing characteristic of our kings, that their authority is the authority of the laws, and that they reign over freemen, not over slaves. Were the doctrine of suspension on the plea of necessity once admitted as constitutional, the revolution could be called nothing but a successful rebellion, or a lawless and wicked invasion of the rights of the crown; the bill of rights would become a false and scandalous libel, an infamous imposition both on prince and people; and James the second could not be said to have abdicated or forfeited, but to have been robbed of his crown."

These arguments were effectual; and the bill passed into a law. Much clamour was on this occasion

raised against Chatham and Camden for deserting the cause of the people, and renouncing those principles, to which they owed their fortune and their fame. But it is questionable whether, in proposing their objections to the bill, they had any other view but that of fixing the laws relating to this point, on a foundation which could never more be shaken. At least their conduct, both before and since that period, sufficiently proves their attachment to the constitution, and that, if they went astray at that juncture, they did not go astray from an evil intention.

The convulsions produced by the stamp-act in America, left behind them ill humours, which all the lenity and condescension of the British parliament could not entirely remove. As if the many private acts of outrage, and marks of disrespect shewn by them on many occasions, were not sufficient, the assembly of New York came to a resolution of paying no regard to an act of the last session, by which they were enjoined to supply the troops with necessaries in their quarters. They made new regulations, by which the requisite provisions were settled according to their own fancy: a clear proof that they meant to persist in their resolution of acknowledging no dependence on the supreme legislature. This affair being laid before both houses, occasioned many debates; and some rigorous measures were proposed. The general opinion, however, was to bring them to temper and a sense of their duty by acts of moderation; which might at once support the authority of Britain, and prevent the inflammation of that spirit of discontent, which was already too prevalent in America. Upon these principles, was enacted a law, by which the governor, council and assembly of New-York, were prohibited to pass any act, till they had in every respect complied with the requisition of parliament: a step, which, though confined to one colony, was a lesson to all the rest, and shewed their comparative inferiority to the supreme legislature.

It had been hitherto usual to take off, on the return of peace, any addition that happened to be made to the land-tax for carrying on a war. But, as the enormous expences incurred in the course of the last struggle with our rivals, were already a heavy burden on the manufacturing part of the nation, it was thought more prudent at its conclusion to continue the land-tax at four shillings in the pound, than by taxing the necessaries of life to encrease the distresses of the poor. Hence the whole land tax began now to be considered as a part of the settled revenue, that was to answer the current services of the year. Some of the ministers were strongly inclined to perpetuate this plan, in order to increase the sinking fund, and pay off the national debt. But the country interest, influenced by a temporary advantage, and proposing, no doubt, to lay up a stock of popularity against the approaching election, carried the reduction of this tax to three shillings in the pound by a considerable majority. This is said to be the first money-bill, in which any minister since the revolution has been disappointed, and, though falsely, it was reckoned a symptom of fatal weakness. The sum total of the supplies amounted to above eight millions and a half; 900,000 pounds being raised by redeemable annuities at the rate of three per cent. and 600,000 pounds more by a lottery, which was held out as a premium to the subscribers to the annuities. The sinking fund was charged with the payment of the interest, which was to be restored to it by duties imposed on foreign linens, sheeting, canvasses, and various other articles. Several new revenue acts were passed; but as none of them portended much harm or good to the kingdom, but those which affected America, they are no proper object for history. Few of these acts advanced the public service. Some rather diminished than encreased the national revenue, and others, though they added to the sinking fund in one shape, took from it in another. At least it was ob-

vious, that the duties laid upon glass, tea, paper, and other manufactures imported into America, must be attended with this consequence; as the balance of trade was so much against the colonists, that they were always in debt to our merchants, and were obliged to remit to Britain all the specie flowing in upon them from our sugar islands and from foreign countries; so that for want of cash for the purposes of circulation, they were forced to make use principally of paper-money.

The reader will be apt to ask, how such impolitic taxes came to be established during the administration of the earl of Chatham, who had given such distinguished proofs of his talents. Let him know then that, to the irreparable misfortune of this kingdom, he no longer directed the helm. Soon after the opening of the session, he was seized with a disorder, which obliged him to retire to Bath, and to leave the supreme direction of affairs to such of his colleagues as were most forward and assuming. Conscious that the public had but little confidence in their abilities, they pretended to act under his auspices, and declared in public and private, that they undertook nothing without his concurrence; when at the same time his health would not permit him to mix in their councils, or to apply the edge of his mind to the consideration of the public affairs. He had, it is true, advised them to enquire into the state of the East India Company, and to turn their surprising successes to the advantage of the nation. But the dangerous and long illness, with which he was harassed, prevented him from carrying that or any other plan into execution. The rest of the king's servants, however, imagining that they only wanted his name, ventured to fill up the outlines, which he had traced, and proceeded, as if they walked upon known ground, at the same time that they publickly acknowledged their inability to manage without him the arduous task of government.

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The vast possessions of the East India Company in general, and the immense property acquired by its servants in particular, roused the attention of the nation. It was perceived that their affairs were not only in a flourishing condition, but promised stability; proposals were therefore made to strip them of those spoils, of which they had stripped the Asiatics. The differences, which had first arisen between their servants in India, and then kindled dissensions among the proprietors at home, contributed not a little to this event. Two parties, into which they were split, laid before the proprietary at large, and consequently before the public, an exact state of their immense property. The most private secrets of the directors were unveiled; the company's charters, rights, and conduct both at home and abroad were examined; their disputes, their utility to the nation, became matters of eager and general discussion. One of these parties, which consisted of the majority of the proprietors, observing that the advantages of their great success had been hitherto engrossed by their servants, who returned home encumbered with princely fortunes, thought it reasonable that a larger dividend should now be declared by the directors, and that the whole body should reap the benefits of their common possessions: this proposition seemed the more equitable that their affairs were fixed on a permanent foundation, and their dividend continued still at six per cent. the lowest point, to which it had ever arrived at the most critical period of the war. In their opinion such a small dividend agreed but ill with a great revenue and a flourishing trade; and tended to create an artificial lowness of stocks to the great loss of the present possessors, and the emolument of future adventurers.

The directors saw matters in a different light. "It is true, said they, that we have gained great advantages in the east, and that our affairs promise permanence and stability. But is it not equally true that we are embarrassed with great difficulties through the
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expensiveness of our military operations? Our profits are comparatively remote and precarious; while our debts are urgent and certain. Do not justice then and good policy concur in recommending the previous discharge of our incumbrances, ere we think of enjoying our profits? Recall the transactions of the memorable South-sea year, and consider the pernicious effects of the fraudulent arts then used for raising the value of that stock. Will not this premature attempt be attended with similar consequences? A considerable augmentation of dividend will raise the price of our fund to an extravagant height, at which it cannot possibly be supported. Thus fresh fuel will be added to the ardor for gaming, a wider field will be opened for stock-jobbing and all the mysterious iniquities of Change-alley. By your precipitance you will create a new South-sea bubble, which will burst upon your own heads." As the directors were afraid that these arguments would not appear entirely conclusive to the proprietors, they made use of a stratagem to carry their point. At the very opening of the midsummer court, one of their friends made a motion for encreasing the dividend to eight per cent. and immediately withdrew it at the instance of the proprietors, who were by this trick prevented from bringing the affair any more into question; such a procedure being contrary to the established forms of the court.

The other party exclaimed loudly against this iniquitous measure, and exposed the absurdity of the preceding arguments. "Nothing, said they, can be a greater hardship than the present scheme. Many of the proprietors, whose money lay in the hands of the company during the most dangerous periods of the war, may now through necessity be forced to dispose of their stock without the smallest compensation for the great risks which they have run. New men, whether natives or foreigners, will reap the fruits, to which the old proprietors are so justly entitled; as the marketable price of stock always depends upon the dividend,

dividend, which it yields. That the possessors of property should be the only persons, who can derive no advantage from it, is a novelty peculiar to the present juncture. This cautious œconomy of the directors would, however, be the less strange, were it not confined solely to the proprietors. A motion for making a profuse grant of three hundred thousand pounds to lord Clive they adopted with the greatest eagerness. How shall we reconcile such opposite extremes? Do they mean to monopolise the riches of the company, and by grinding our faces to swell their own enormous heaps? It is alledged that our debts will not permit an augmentation of dividend. Can any reasoning be more futile and absurd? While we continue a commercial company, we must by the nature of things, and like all other merchants, owe large sums of money. But our credit is good: our creditors think their money so well laid out that they fear nothing so much as the payment of it. Do you demand a proof? Our bonds bear a premium, so that they may be sold for more than the original debt. The Dutch East India company divide twenty per cent. upon their capital; and yet they feel no shock. Why should we not imitate their example, when our possessions and revenues are greatly superior to any of which they can boast? The invidious mention of the South-sea bubble recoils, like all their other arguments, upon the heads of the party, by which it was advanced. That whole scheme was a baseless fabric; and the high price of stock was founded on the chimeras of distempered brains; its whole success therefore depended on the weakness and avarice of the people, who were the engines, with which the projectors worked. Nothing, on the contrary, can be better ascertained than the property of the company; nothing therefore can be more equitable than that the owners should be able, whenever they think proper, to dispose of it at the full and real value. The intrinsic value of our stock being thus ascertained, and known to every buyer and seller, by the dividend, which it yields, there will be little room left for stock-jobbing: the
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hopes of some and the fears of others will entirely subside. But the uncertainty occasioned by the present mode of conduct operates so strongly and so variously upon the minds of the public that there never was such great fluctuation in the price, and the pernicious influence of stock-jobbing was never more sensibly felt. And nothing is more evident than that, while this fluctuation continues, the company will suffer, and the direction gain: their want of intelligence being as fatal to the former, as their knowledge of every secret is beneficial to the latter."

While these points were agitated by the East India company, their affairs were under the consideration of a committee of the House of Commons, which had ordered copies of their charters, grants, and correspondence with their servants to be produced. An exact state of their revenues, and of the expence incurred by government in their behalf, was likewise demanded; and in the course of the violent debates occasioned by the jealousy of private right and public liberty on the one hand, and the eagerness of relieving the burthened finances of the nation on the other, an order was made for printing the East India papers. But at the instance of the court of directors, who represented this step as injurious not only to individuals but to the whole company, the order was countermanded.

This minute scrutiny seems to have sprung from this cause. The company had for some time solicited the ministry for a negotiation, by which they proposed to pay liberally for some commercial advantages, and for the renewal of their charter. Such had been hitherto the method of bargaining with that body, which, as it had obtained but short leases of its monopoly, had been obliged frequently to apply to government for a new agreement. On these occasions the two parties acted on the true principles of credit: not as government and subject, but as equal dealers, they always consulted their mutual advantage: a temperament, from which the public had derived

derived unspeakable benefit. At this juncture new ideas prevailed. The ministry, instead of listening to the proposals of the company, chose in the name of the crown to set up a claim to their possessions. The original plan seems to have been to prevail on the House of Commons to compliment the crown with a sort of juridical declaration of a title to the company's Indian acquisitions, which the crown, on its part, was to bestow with the greatest generosity on the public. Then it would be incumbent on the House of Commons to be in their turn liberal and grateful to the crown. The civil list debts were to be payed off, with perhaps no small augmentation of income. All this scheme was to be conducted on the most public spirited principles, and with a politeness and mutual interchange of good offices, which could not but have charmed. And, what was best of all, these reciprocal civilities were not to cost a farthing of expence to either of the kind and obliging parties: the East India company was to be covered with infamy and disgrace, and at the same time to bear the whole charge.

In consequence of this disinterested plan the terrors of a parliamentary enquiry were hung over their heads. The parliament was asserted to be a competent judicature for trying the question. But, lest this assumed judicial character should chance to beget certain stubborn ideas of law and justice, it was urged that the judicature was arbitrary, and ought not to determine by the rules of law, but by their sense of policy and expedience. Nothing could exceed the violence of some of the managers, except their impotence. Bewildered by their passions, and by their want of knowledge, or consideration of the subject, they deviated from their object as they advanced. Hence all things fell into confusion. The ministers accused and disclaimed one another. They suspended violence and shrunk from treaty. They no longer argued that the company had by their charters no right to conquest; that large territories in the hands

of a trading corporation were improper and dangerous, and that, if it were even legally and politically right that they should hold these territories; yet the vast expence incurred by government in their defence gave it a fair and equitable title to their revenues.

These topics, which were the grand engines, with which the company was to be overturned, were now dropt; and some weight was allowed to the arguments of the opposite party, who discovered some reverence for the constitution.

“ If the crown, said they, has reserved to itself any right to their territorial acquisitions, point out that article of their charter, in which it is specified. With all your industry you have not yet discovered it; nor would you ever have suspected its existence, if the surprising riches of the company had not awaked your avarice. But in the ardor of your rapacity you should pay a little attention to law and justice; else you may possibly overshoot the mark, and miss the object of your wishes. The company purchased its charter from the public, and the grant is confirmed by act of parliament. Would you violate the public faith, and make a sacrifice of private property to your inordinate passions? Cannot you without envy behold any body of men thriving in the empire? Must you engross every lucrative branch of business, and for your private emolument ruin our trade to India, as you did our trade to America? If the crown has any just right to the conquests in India, the courts of law are open for the trial of its claim. The House of Commons is not by the constitution the interpreter of the law, or the decider of legal rights; and should it ever assume such a power, it would prove of the most pernicious consequence to the liberties of Great Britain. Whatever has been expended by government has been more than repayed by the customs accruing from merchandise imported and exported by the company; and if any thing was wanting to confirm their title to their conquests, the vast sums, which they expended, and the

the great risks, which they run, would be sufficient to establish it beyond a doubt. The disbursements of government were comparatively inconsiderable; and it would be much more fair and honourable to desire the company to refund them than seize upon their whole property, like the lion in the fable, who, having justly seized on a fourth share of the prize, stretched out his paws to all the rest, and threatened vengeance to all opposers."

In this situation stood matters, when some active members of the company were given to understand that this hostile proceeding was only intended to frighten them into concessions; and that the government was far from any thoughts of seizing upon their possessions. Administration, they said, was sensible that the idea was in every light full of absurdity; and that such a seizure was not more out of their power than remote from their wishes; and therefore, if the company would come in a liberal manner to the house that they could not fail of bringing this disagreeable business to a speedy conclusion, and of opening the way to an advantageous treaty.

On this hint the company acted; they came at once to the resolution of getting rid of the embarrassment occasioned by the complication of their trade with their revenue; a step, which despoiled them of their best defensive armour, and put them at once into the power of administration. For this purpose they threw their whole stock of every kind, their revenue, their trade, and even their debt from government, into one fund, which on the surest grounds they concluded would amount to 800,000 pounds, and withal leave a large surplus for the payment of debt. This sum they agreed to divide into two equal portions, one for themselves, and the other for government: a stipulation, by which their dividend was annually augmented only by 80,000 pounds. They ought to have received from the public 120,000 pounds for the loan of their capital. Hence all, that they reserved

served to themselves from their vast revenues, from their extensive trade, and in consideration of the great risks and mighty expences, which purchased these advantages, amounted to no more than 280,000 pounds.

From this proposal, which by themselves was esteemed liberal, they expected the highest applauses. Their reception, however, was very different from their expectations. When they brought their plan to the House of Commons, the offer of 400,000 pounds was very well relished; nor were any material objections made to the advantages in trade, which they sought. The bargain was finally concluded on these terms for the space of two years. But nothing could be more disgustful than the 80,000 pounds, which the proprietors divided among themselves. A violent tempest of indignation and fury rose against them. The heads of people turned. The company was held well able to pay 400,000 pounds a year to government; but bankrupts, if they attempted to share the fifth part among their own body. The resolution, by which they raised their dividend from ten to twelve and a half per cent. raised violent debates. A bill was brought into the house for rescinding the act of the company, and confining their dividends to ten per cent. during the continuance of the temporary agreement made with government. It was in vain that the proprietors engaged to bind themselves from making any additional increase of dividend, till a new covenant should be framed. Certain obscure placemen urged that they could not afford a higher dividend without endangering their credit; that this regulation was necessary in order to put an end to the fluctuation of that stock, which, if tolerated, would not only encrease the pernicious spirit of gaming, but would also prevent that rise in other stocks, which was so necessary towards reducing the interest of the national debt; and that it was the only scheme for securing to the public the annual sum, which it was allowed for its claim on the company's territorial acquisitions.

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The opposition contended that the bill was equally exceptionable in form and in substance: in form, because it operated retrospectively, and, without openly naming its object, rescinded an act, which was entirely conformable to the constant usage of the company; in substance, because it was a law posterior to the fact, and exercised an arbitrary dominion over a property, which had been managed according to law.

If we consider, said they, the East India company as a national object, and the members of it as obliged to answer to the public for their conduct, the dividend in question seems not liable to any solid objection; for the only legal restriction upon their power to divide is, that the sum total of all their debts do not exceed the value of the capital remaining undivided; and it appears by the clearest evidence that the company's effects are amply sufficient to discharge all their debts, and that, even after repaying their capital, there would remain a very large surplus. What reasonable argument then can be advanced against the company's act? Is it inexpedient? No: for it fixes the price of stock much nearer the real standard than the rescinding act, which arbitrarily confines it to ten per cent: and it must therefore be more favourable both to buyer and seller, as it prevents any sudden rise or fall. The directors themselves acknowledged the ability of the company, and the proprietors after the minutest scrutiny were forced to come to the same conclusion. The affair has been considered and reconsidered; and the unanimity of the company was so great that there was no division. The parliament must now be equally satisfied; for no case was ever more clearly proved. Every argument used to shew the impropriety of dividing twelve and a half is equally conclusive against ten per cent. and indeed against every other dividend; since it is hardly possible that during the existence of the company, their debts should be all paid off, or their cash in hand be sufficient to discharge those debts and pay a dividend; while at the same time their trade

is carried on so extensively as to yield to the company and to the public the most ample returns. All the reasonings, therefore, in favour of this bill being reducible to these two propositions, that the company ought to pay off its debts, before a dividend takes place; and that a dividend ought to be made on a cash account, what can be more evident than that the whole plan is absurd, since the principles of both are contradicted by the uniform practice of this and every other company of merchants, that ever existed? However much you may be concerned for the company's credit, their creditors entertain no scruples on that head. Do you desire a proof? It appears from witnesses that their bonds, which not long ago bore a high premium, have now sunk considerably in their value merely from the apprehension of their being discharged. This arbitrary interposition of the legislature contrary to stipulation, in the affairs of a trading company guilty of no abuse, except perhaps that of being too rich, is without example, and may be attended with very fatal consequences; as it tends to lessen the idea of that security, which has induced all Europe to deposit its money in the funds of Great Britain. Nor let it be imagined that this step will fix the price of stock. The short period, to which the restriction is confined, cannot but encrease, instead of checking, the infamous practices of the alley. The passions of men will be warmly agitated during the summer by speculations on the probability of its expiration or continuation at the opening of the next sessions. The ignorant and unwary are sure to be the dupes of those, who have the good fortune to be in the secret, and are wicked enough to convert that circumstance to their own advantage. If, when that period arrives, the parliament continues the act in force, and thus assumes a power of occasionally examining and regulating the company's affairs, it is manifest that its speedy dissolution, as well as the dissolution of all the other trading companies, will be an event devoutly to be wished by every
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lover of his country ; that by this new and arbitrary controul they may not become engines of power in the hands of usurping rulers. This bill has been introduced into the upper house contrary to the usual forms, which require a conference with the commons in matters affecting legal rights and private property. Were the proposers convinced of its utility, would they proceed in this hasty, clandestine, and unconstitutional manner? No; nor would they ground their proceeding on falsities. For what does it avail to assert that the company has exceeded its legal powers of borrowing on bonds, when it appears from the express words of an act, that they have not exceeded the prescribed limits, and that the parliament, by having the point frequently under consideration, and starting no objection, entertained the same sentiments on that head as the company, who always understood them in this sense? Such reasoning is as absurd as that, which endeavours to prove the inability of the company to make such a dividend from the supposition that the public, not the company, is entitled to the territorial acquisitions. While the company is in possession, and no claim yet made, much less established, nothing can be more dangerous to the property of the subject, or more unbecoming the dignity, gravity, and justice of parliament, than to question the legality of such a possession, and without hearing council to act as if the cause were decided.

Notwithstanding these arguments, such was the disposition of the majority that they passed this bill, which suspended for a year the right, which, under the public faith, the company enjoyed of making their own dividends. Though the plain face of facts, of reason and arithmetic, all the authority, parts and eloquence in the kingdom were against it; though all those, who had been chancellors of the exchequer since the beginning of the reign, opposed it; yet certain subordinate servants of the crown sprung out of their ranks, took the lead, and by an opinion of *some sort*

of secret support carried the bill with an high hand, leaving the secretary of state and the chancellor of the exchequer in a very moderate minority. In this distracted situation the managers of the measure did not venture to propose the immediate payment of the civil list debts. The financiers were not in good humour enough, after such a defeat by their own troops, to co-operate in such a scheme. An act was therefore made for locking up the money in the exchequer, till time and reconciliation should enable them to determine how it should be applied. An end was then put to this tedious session, which had lasted the greatest part of the summer.

Not long after this event Townsend, chancellor of the exchequer, died: but this loss was not deeply felt by the ministry; as he was not in a very close or amicable connexion with his colleagues. It was necessary, however, to strengthen their system by some additional support. Their necessities obliged them at first to counterfeit a negotiation with the marquis of Rockingham's party; but as they knew their political principles could never assimilate, a treaty was in the mean time concluded with the duke of Bedford and his friends. In consequence of this coalition several changes took place. Lord North became chancellor of the exchequer, Thomas Townsend, joint pay master of the forces, earl Gower, lord president of the council, lord Weymouth, secretary of state, Rigby, vice-treasurer of Ireland, and lord Hillsborough, secretary of state for the colonies; this place being created on his account.

(1768) When the parliament met, the principal object of the king's speech was the relief of the poor, who still felt the distresses of dearth. This circumstance made the nation believe that the ministry had prepared some salutary plan for the approbation of the legislature, But they were mistaken: the ministry was too closely engaged in schemes of private emolument to think much of the public. They were therefore heavily censured, when it appeared that the object, however desirable,

desirable, was not attainable. It was urged that a public recommendation of a thing, which was known to be impracticable, was not only improper, but dangerous; as the people would naturally conclude that relief was not impossible, since the subject had been particularly mentioned from the throne; that the false hopes thus inspired would be converted into despair and impatience, when they found themselves left to languish in want and misery; that in this situation their rage must be directed against the parliament, which, notwithstanding the earnest application of the crown, take no steps for their relief; and that it would not be surprising, if in such a crisis they should set all law and order at defiance, and renew those tumults, which had been already productive of such melancholy consequences.

Several petitions from the city of London and other corporations were presented to the lower house; but the remedies, which they proposed for the removal of the present, and for the prevention of future dearths, appeared so problematical that no new scheme was attempted. The old provisionary bills relating to exportation and importation were continued, or amended; and the importation of wheat and flour from Africa was allowed. The affairs of the East India Company were again taken into consideration, and the rescinding act was continued, though the whole course of the summer had demonstrated the justness of the arguments, which had been advanced against it in the preceding session. A loan of one million nine hundred thousand pounds was negotiated upon the usual terms; 1,300,000 pounds being raised by redeemable annuities at three per cent, and the rest by a lottery constructed on the same plan. The sum total of the provisions exceeded by 419,180 pounds the supplies, which amounted to 8,335,746 pounds; and the sinking fund was charged with the payment of the interest upon the new loan.

As the general election was now approaching, advertisements, promising a specific sum of money for a seat in parliament, appeared in the public newspapers; and the offending parties were committed by the house of commons to Newgate, where they continued, till after petitioning, and expressing the most sincere repentance, they were reprimanded by the speaker.

But the instance of corruption, which chiefly engaged the attention of the public, was that of the corporation of Oxford, who imagining that constituents have a just title to some share of what representatives gain by selling them in parliament, proposed to their sitting members to return them at the next election, upon condition that they should advance a certain sum for discharging an incumbrance, which lay heavy on the city. The honest members pocketed the letter, which contained this proposal, without disclosing the contents to parliament, or taking a single step towards the punishment of the delinquents. Whether they intended by the terrors of information to frighten the corporation at a proper time to re-elect them without any expence, is best known to those who are acquainted with the character of the gentlemen, and consider that the transaction was revealed to the house of commons by another member without their privity or consent, and that the proffer had been made almost two years before. However this may be, the conduct of the two silent members was highly applauded by the commons, who called the corporation to the bar of their house, and committed them to Newgate. In consequence, however, of their petition they were again brought before the house, and censured by the speaker in the following strain.

“The offence of which you have been guilty, has justly brought you under the severe displeasure of this assembly. A more enormous crime you could not well commit; since a deeper wound could not be given to the constitution than by such an open and dangerous attempt to subvert the freedom and independence of
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of election: a point on which the freedom of this country hinges; for it can exist no longer than while the voices of the electors remain uninfluenced by any base or venal motive. If abilities and integrity are no recommendation to the constituents; if those, who bid highest for a seat, are to supersede every other candidate, it is in vain that the people of Great Britain expect their sense will be expressed by this house. It will no longer continue a body of real representatives. Instead of being the guardians and protectors of liberty, instead of redressing public grievances, we shall give birth to the worst of grievances: we shall become the venal instruments of power in reducing this happy nation, now the envy and admiration of the world, to the lowest state of misery and servitude. Such is the abject state, into which you have endeavoured to plunge your fellow subjects! What more needs be said to aggravate your crime? And yet there are many circumstances, which concur to give it a blacker complexion. The place of your residence was a singular advantage: you had at all times the example of one of the most learned and respectable bodies in Europe before your eyes. Their conduct in every instance, and particularly in the choice of their parliamentary representatives, was well worthy your imitation. You are magistrates of a great city. In such a station it was a duty peculiarly incumbent on you to watch over the morals of your fellow-citizens; to keep yourselves pure from venality, and by your influence to preserve those under your immediate government from the contagion of this growing and pestilential vice. How have you swerved from this duty! How abused this trust! You have yourselves in the most public and daring manner set the infamous example of prostitution. Surely you must have been overwhelmed with shame and confusion at the generous disdain, with which your representatives spurned the corrupt offer. They thought, and justly thought, that a seat obtained by a free and independent choice was the highest honour, to which a subject

can aspire; and that the conscientious discharge of the duties of this office was the noblest of services. Sorry am I to say that you have paid but little regard to these considerations. But since you have acknowledged your guilt, and seem by the strain of your petition to be conscious of the enormity of your offence, this house relents. For in the terror of its judgments it always thinks on mercy; and never inflicts punishment but for the sake of example, and to prevent others from becoming the objects of its resentment. The censure passed upon you will, it is hoped, have that effect. You are now the objects of its mercy. May you be penetrated with a due sense of its justice and lenity! May you atone for your past offence by a constant endeavour to make a right use of the invaluable privileges, which you enjoy as electors! Consider these privileges as a sacred trust reposed in you, and discharge it with fidelity and integrity. But, before you rise from your kneeling posture, I do, in obedience to the commands of the house, reprimand you."

Notwithstanding the severity of this censure, in which there is more bluntness than eloquence, it was generally affirmed, and as generally believed, that the delinquents had no selfish design, but acted solely for the interest of the corporation. Be this as it will, their conduct was highly blameable; as it tended to introduce the practice of selling the nation for the benefit of the electors, who do not constitute the fiftieth part of the people. If their representatives acted with fidelity and uprightness, they conferred a real obligation on their constituents, and instead of being loaded with impositions, ought to have been distinguished with fresh honours. If, as the corporation seemed to think, they exposed their constituents to sale, they were entirely unworthy of future confidence, and every well-wisher to his country, would, instead of endeavouring to share the plunder, refuse them his voice in defiance of all private considerations. It is idle to allege that the infinity of lucrative places in the gift of the

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the crown has caused a general defection of the representative body from the interest of the people, and that, as the torrent of corruption is thus become too powerful to be stemmed, prudence dictates a compliance with the spirit of the times: it being always adviseable for the real owners of a wreck to save whatever they can from the hands of pirates and robbers. We must never despair of the common-wealth: no case can exist, in which we may not hope to rescue it from destruction: as it is possessed of such innate vigour, that it may recover from the most dangerous convulsion. It is at least the duty of the constituent never to relinquish this hope; for while there is an Englishman, I mean a real Englishman, in being, the constitution is capable of regeneration: he cannot abandon liberty but with life.

But, unfortunately for the people, the electors of boroughs, though they have the love of their country very much in their mouths, have it but very little in their hearts. The bulk of the nation expect from the representatives a faithful discharge of their parliamentary duty, and these electors expect to be paid for favouring them with their votes. The former would have them devote their whole time and attention to the national welfare; and the latter, instead of rewarding them for their trouble, will themselves be rewarded for the honour of employing them in their service. Thus an iniquitous traffic is carried on between these burghesses and their representatives: they sell the nation for their mutual emolument. Hence men of real probity are either banished from the senate, as they will scorn to represent such venal corporations; or are reduced to the disagreeable necessity of sacrificing the public to the views of a corrupt minister. A man of true principle, if he has any prudence, will hardly give a large sum for an opportunity of conferring benefits. However much he may be concerned for the people in general, who do not deserve to be punished for the crime of the small body of electors, he will be

apt to consider those as unworthy of his regard, who must be bribed into the support of their own happiness, and who, instead of thanking the hand, which generously toils for their prosperity, ungratefully strive to plunge it into distress. Nor will an example of corruption, which, by affecting his fortune, comes home to his own breast, contribute little to make him form conclusions disadvantageous to the whole nation, and abandon it as all equally venal and destitute of virtue. The consequence is, that we are frequently represented by men, who procure a seat in the house on purpose to sell us at an advantageous price to a minister; or by men, whose fortunes are so distressed by the scandalous demands of electors, that, unable to resist the shock of poverty, they readily swallow the earliest baits of government; and, as they beggarred their families to advance the interest of their country, they beggar their country to restore the opulence of their families. In fact, universally as we exclaim against any occasional perfidy in representatives, the fault should be divided between them and the electors. If the latter were honest in their choice, the former would seldom fail in their conduct: if those basely prostitute their principles, and require a price from their deputies, these will naturally dispose of their commodity. If they buy, they think themselves entitled to sell. Few of them will chuse to reflect that they sell not only the electors, but the body of the people, who had no share in the iniquitous bargain.

Hence, whatever disgrace may fall upon the constituents and their representatives, the nation in general may be blameless. For what are all the freeholders, citizens, and burgesses, that are entitled to the right of election, to the body of the people? A mere trifle. They are hardly as one to fifty. Eight millions of people and a hundred and sixty thousand electors! What a prodigious disparity! Who will henceforward have the effrontery to say that the members of the lower house are the representatives of the people?

ple? They are rather the representatives of old deserted walls and empty ruinous houses. With our forefathers, the power of election, and consequently of legislation, followed the people; it was fixed to no particular spot; but shifted its place with the inhabitants. How would it have suited the ancient Germans, who were in continual motion, to have bestowed an exclusive right of representation on this wood, that lake, or that river, when they were at one time crowded with men, at other times deserted? They saw that the affairs of men were in constant fluctuation; and therefore the right of the legislation ought to travel with the people, not to be confined to this or that piece of enchanted ground. Whence is it that we have deviated from so evident a maxim? The rise of great and flourishing towns in one corner of the kingdom, and the decline of the most populous cities in another, ought to have long ago convinced us, that no society can be so firmly, so unalterably established, as not to require similar regulations. Were it possible even for the forms of our constitution to have, in its present circumstances, any long duration, this principle, this continual flux of population, would hardly leave a free and independent body of electors in the kingdom, except the counties. At present there are not above thirty independent cities and boroughs in the southern part of the island; and hardly any in the northern. Yet are not even these every day upon the decrease?—Nothing is more notorious. Such is the success of ministers in the arts of corruption, that they have the presumption and audacity to tamper even with London itself. What hopes then may they not form of enslaving other places! What fears may not we entertain of seeing the number of our real deputies become as inconsiderable as those of France! The states of that kingdom sent but ninety representatives to the great council of the nation. How easy was it to bribe and influence such a small body! What wonder that they lost their liberty!

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Since then the people are not, as in ancient Rome, divided into classes; since all those who pay taxes, and contribute to the charges of government, are not electors; in short, since those who have the least shadow of right in choosing representatives, are so very inconsiderable in numbers, and since so small a portion even of these can be said to be their own masters, how can the lower house be said to utter the voice of the nation? If ever this be the case, it must be only accident, when their own interest coincides with that of the people: but as that can seldom happen—as the temporary and immediate views of the governors are generally opposite to those of the governed—what fears, what apprehensions must arise among the latter, when they have not an instantaneous check upon their conduct!

The next most remarkable event, which occurred in this session, was a motion for bringing in a bill for quieting the possessions of the subject, and for securing them from all obsolete and vexatious claims. This proposition was so interesting, not only for the importance of the point, which it directly affected, but also for the events, which gave it birth, that it will be proper to trace the matter from its source.

In consequence of a grant from William the third, the family of Portland had for seventy years possessed in the county of Cumberland the honour of Penrith and its appurtenances. The forest of Inglewood, and the manor and castle of Carlisle being considered as parts of this grant, were quietly enjoyed by the family under the same tenure. It seems probable that these were not particularly specified in the grant, but were supposed to be included as parts of the whole. William was too sensible of the jealousy natural to the people and parliament to be very explicit in the terms, in which it was conveyed. Sir James Lowther, who has a large estate in Cumberland, was apprised of these circumstances, and, being supported by that omnipotent interest, which has unwillingly convinced the na-

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tion that there is in the kingdom a secret power greater than the king himself, he prayed a lease of the premises for three lives, upon such terms as should appear reasonable to the board of treasury. The matter being referred to the surveyor general of crown lands, his report was, that the lands in question were still vested in the crown; and that a lease ought to be granted for the time specified by sir James Lowther. It is natural to imagine that this resumption was to be converted to the use of the public, and that the estates were to be rated at their full value. But this was by no means the intention of the ministers: their sole aim was to weaken the interest of the duke of Portland; and to strengthen that of their minions against the approaching election. Accordingly the surveyor general in pursuance of his directions advised that the focage of Carlisle should be leased at fifty pounds a year, the forest of Inglewood at fourteen shillings and four-pence: and that a third part of the rents of such lands as should be recovered from the duke should be secured to the baronet. This report of the surveyor, who happened to be no lawyer, was founded on the opinion of no council; at least the attorney or solicitor general were not consulted, nor was the duke's council heard. The more dark and intricate the question seemed in law, the more hasty and precipitate seemed the ministers to bring it to a conclusion. As if they meant to act in a clandestine and unfair manner, the matter was two months in agitation, before any authentic intelligence reached the aggrieved party; and the information was at last the effect of an enquiry founded on vague hearsay rather than on any regular notice. When after a long adjournment, which proved very injurious to Portland's cause, the board at length met, the duke presented to the lords a memorial, in which he prayed to be heard in defence of his title against the application of Lowther. He was in consequence desired to produce a state of his claim and title, and at the same time promised that no step should be

be taken, till his cause had been previously weighed with the most cautious deliberation. This assurance induced him to employ proper persons in inspecting and collecting records and evidences as far back as Richard the third; a work of much time, labour and expence. In the course of this enquiry it was judged proper to examine, whether the facts mentioned in the surveyor's report were fairly and impartially stated. Application was therefore made at the surveyor's office, for permission to inspect the surveys, court-rolls and other monuments, on which he had grounded his opinion. But the application proved unsuccessful: the permission was not granted. Upon a second trial, indeed, it was promised as a matter of indulgence, not as a foundation of right, though justly claimed by the duke upon that ground. The clerks, it is true, received the fees for drawing up the order; but it could never be procured. After various delays and evasions it was said to have been sent to the surveyor's office; but upon enquiry there it was denied. Afterwards it appeared that, two days before that period, the surveyor had sent back to the treasury an answer, in which he remonstrated against subjecting any papers to the inspection of those, who litigate the rights of the crown.

Thus was the duke amused and deceived, till a grant was actually made to Lowther, and sanctioned by every necessary seal, but that of the exchequer: no notice or citation having been previously given, no hint being dropt that the forementioned requisition would not be granted. At length the secretary of the treasury gave vent to the secret, and informed Portland, that the leases were already signed. Nothing now remained but to stop the progress of the affair in the exchequer, where a caveat had been already entered for that purpose. But on application to North, the chancellor, to withhold the seal, he answered that being pressed to finish the business instantaneously, he could

could not refuse to comply with an order from the board of treasury.

In defence of this measure the ministerial advocates reasoned in this manner. "The premisses in question are no part of the honour of Penrith; as they are neither specified, nor understood in the original grant. The right being thus ascertained, it is no more a fault in the crown to assert it than it would be in a private person. If many such resumptions were made, it would be happy for the people; as they might ease them of their burdens. The family of Portland has been sufficiently payed for any services, which it has done the nation. After having quietly enjoyed for the space of seventy years an estate, to which it has no right, it may contentedly resign it into the hands of the true owner, when no demand is made upon it for the past issues. Suppose the charge of favouritism well grounded, William had no better right to reward a Dutch minion than George the third has to reward the friends of a Scotch favourite; and the natural influence, which the crown lands afford in elections are with more propriety distributed among the friends than among the foes of administration. But were the prudence and propriety of the grant ever so indefensible in other respects, the report of the surveyor exculpates the treasury, which was bound to follow it: especially as Portland, though allowed sufficient time to prepare his title, has produced none, because he had none to produce."

The opposition went upon more firm, more constitutional ground. "Your defence, said they, is founded on two principles, which are neither of them tenable: First, you allow no equity in prescriptive possession; a maxim contrary to the opinions of all lawyers in all countries, and indeed to the common sense of mankind. Secondly, you deem the surveyor's report conclusive and oracular, so as to oblige the treasury to make a grant to any informer, to whom that report shall be favourable: a power in that officer,
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which you will not attempt to support by any authority from law. You pretend that no length of time or possession can be a bar against the claims of the crown. Do you perceive the dangerous tendency of this antiquated law, this prerogative maxim? All the lands in the kingdom have been at different times in the hands of the sovereign; and many of them from the loss of authentic deeds may be liable to similar claims. What can be more alarming to the whole landed interest? Resumptions are on all occasions disagreeable: they were practised only by the worst, the most arbitrary of our princes, and even by them with caution; as they were sensible of the general abhorrence, which every act of that kind must excite. The maxim, on which they are founded, was long the disgrace of the prerogative, and the scandal of the law: the ablest writers and the best judges in that profession have always cast an odium on it, as being contrary to natural equity, and the positive principles of law. Even in the arbitrary reign of James the first, a law was passed to prevent in some degree its pernicious effects. As the constitution came to be better understood, its component parts to be more exactly defined, and the rights of the people more precisely delineated, this law was made only retrospective; since it could not be supposed that more enlightened ages would revive a maxim, which the darkest times held in such detestation. It was never suspected that it would be hung up as a rod to overawe the subject, who may be thus harrassed and ruined by frivolous and vexatious suits, whenever he becomes obnoxious to an arbitrary ministry. Portland's title is still under the protection of the laws; and there can be no doubt but he will defend it with the utmost vigour. What then but the most unconstitutional of motives, that of obtaining to a party a temporary and undue influence in the ensuing election, can have given rise to this grant? It was foreseen that the issue of the suit might be very distant: the interval was therefore chosen for strengthening that interest, which

which threatens to devour every family, and to crush the constitution under its enormous weight. When our kings had little other revenue for the support of the government as well as of the civil list but what arose from the demesne lands, resumptions, though cautiously practised, were useful, and sometimes necessary; because weak and prodigal princes frequently impoverished the crown by their profuse grants; and it was still incumbent on the public to preserve its dignity. Yet even then resumptions were properly the act of the legislature, not of the crown. How much more ought that to be the case in these days, when the state of affairs is entirely changed; when the public have settled on the sovereign a great and permanent revenue, designed in a great measure to secure the quiet of the people in their possessions, and to prevent the litigations, which arose from the claims of the crown, and the continual disputes, which occurred about the disposition of its lands? It is in vain to urge that the present resumption is intended to lighten the burdens of the people by finding a new source of revenue for the sovereign. The pretence is so ridiculous that it deserves not a serious answer. The reserved rent is too paltry to be mentioned; and, were it ever so considerable, it could be no accession to the civil list, which is fixed and unalterable; it would be all swallowed up in the sink of placemen, pensioners and favourites. This act is evidently a continuation of the same ungracious system, which has been pursued since the beginning of this reign; a system, which is founded on affronting and disgracing those families, who were most strenuous in effecting the revolution, and in securing the throne to the house of Hanover. The particular circumstances, by which it is attended, sufficiently discover that the same hidden and undue influence, which to the great disgust of the nation has so long directed our public councils, still presides in them in the full plenitude of its power. The privacy, hurry, evasion, duplicity and treachery, which crowned the whole

whole transaction, are a disgrace to government; and must in conjunction with other circumstances give it a shock and entirely overturn that northern interest, which it was meant to establish.

Notwithstanding the invincible force of these arguments, the ministers remained unshaken in their purpose, and exerted their whole power in causing the miscarriage of a bill, which was proposed for quieting the possessions of the subject. By a majority of twenty it was determined that the affair should be postponed till the next session: an evasion by which they hoped to escape the obloquy, which would necessarily attend the open avowal of such a dangerous doctrine.

In spite of ministerial opposition an act was passed this year for octennial parliaments in Ireland: an event, which gave great satisfaction to the people; as it was the effect of their own spirit and patriotism; and promised redemption from that vassalage, in which they were held, while the national assembly was only determinable by the king's life. This indulgence, however, was only granted with a view of bribing them into the humour of augmenting the army on that establishment. But the same virtue, which extorted the octennial act, prevented for this time so dangerous a measure.

All the necessary business being now finished, an end was put to the session, and to the parliament, which received great acknowledgments from the king for its many signal proofs of affectionate attachment to the royal family, for its faithful attention to the public service, and its earnest zeal for the preservation of the constitution. And no wonder, for they granted money with profusion, and never exacted a scrupulous account of its expenditure. They were always obsequious to the reigning minister; what they enacted under one leader they never hesitated to repeal under another.

It is not surprising, if an administration, which took such unconstitutional measures as we have related to secure

secure a majority in the lower house, alarmed the people, and gave birth to contested elections in all parts of the kingdom. The violence of electioneering being joined to the spirit of dissatisfaction, occasioned by the high price of provisions, excited such tumults and disorders, as are seldom seen in this island. But though the rage of opposition and ministerial corruption were every where sensibly felt, the attention of the nation was principally fixed on the capital, and the county of Middlesex; because they exhibited scenes unparalleled in the annals of England.

Mr. Wilkes, who since his expulsion had lived abroad, began to entertain hopes of returning to his native country, when Grafton was raised to the head of the treasury. That nobleman owed the little popularity, which he once possessed, to the exiled patriot. It was natural therefore for the latter to imagine that, if he had any gratitude, any honour, he would exert himself in his favour; as he had been the great champion of the minority, and had actually banished Bute from the treasury. But the duke, who knew how obnoxious Wilkes was to the king and his mother, did not chuse to risk his lucrative office for the sake of friendship or justice; and therefore returned to that gentleman's letter of application, a shuffling answer equivalent to a denial. Roused with indignation at such unworthy treatment, the injured Wilkes immediately renounced him, and exposed the duplicity and hollowness of his heart, to the scorn and detestation of the whole nation. Finding himself treacherously abandoned by the men, who had risen upon his popularity, he resolved, as his last resource, to make one desperate effort for overthrowing them, and rising on their ruins. He had the better prospect of success in this attempt, that they had proclaimed war not only against him, but also against the nation, which was no less scandalized at their perfidy to him, than it was alarmed at their unconstitutional interference in elections. To the astonishment and confusion of his enemies, and to

the surprise and joy of his friends, who constituted the body of the people, he appeared unexpectedly on the hustings at Guildhall, and stood candidate for the city of London. As he was favoured by the bulk of the electors in their hearts, the number of hands held up for him was incredible; he was therefore declared duly elected. But through the influence of Harley, Ladbroke, and the court faction, his friends were greatly exceeded by those of the other candidates upon the poll. Many of the citizens had been pre-engaged, many were intimidated, and all apprehended that their vote would be thrown away, as he was still an outlaw; or at least, that it would be rendered useless by an expulsion. Such an idea did they entertain of the omnipotence of their own creatures, the members of the lower house!

But not at all dispirited by his defeat, and conscious of public favour, of which he received daily marks from all orders of people, and particularly from the populace, who testified their attachment by carrying his chair, and dragging his carriage, after they had unharnessed the horses, he addressed the livery on the close of the poll; and attributing his disappointment to the true causes, to his late application, to private malice and public bribery, he solicited their votes as freeholders of Middlesex, for which he resolved to stand candidate.

The ministers remained in the mean time stupefied with astonishment at his boldness. Overawed by the people, whose idol he was, and afraid of incurring more popular odium, they had not courage to proceed openly against him as an outlaw, and to shut him up in prison. Vainly imagining that he was only supported by the populace, and that all his efforts to prove himself patronized by men of property, would turn to his disgrace and confusion, they suffered him to shew to the conviction of the world, that the popularity which he had acquired by his public services, was an overmatch for all the interest, all the corruption of government.

vernment. They instigated his creditors, indeed, to arrest and vex him by all the arts, all the chicanery of law; but these measures, which were mean and malicious, as they were unjust and unconstitutional, instead of ruining him, acquired him new friends. For the generosity of the public revolted against such oppression, and undertook his protection from a ministerial combination, which turned the national power against a single subject.

Accordingly, on the morning of election, the roads were lined with vast multitudes, who obliged every one in passing to declare for their favourite. Even his enemies were forced to wear the ensigns of his party: if they would proceed with safety to the place of poll. Proctor and Cooke, his two opponents, neglected this precaution, and had reason to repent their temerity. It was with difficulty they reached Brentford; where their success was answerable to the expectations of all discerning men. So strong was the current of popular favour, so high the spirit of liberty, that all the efforts of ministerial corruption and intimidation were totally frustrated by the voluntary suffrages of unbought freeholders. Wilkes was returned by a vast majority. The people in general testified their satisfaction at this event, and the exultation of the populace broke out in various irregular sallies. They paraded the streets, and obliged every man to illuminate his house, as if they had gained a great victory over the French or Spaniards.

Nor will their conduct be severely criticised by those who see that we are in greater danger from domestic than from foreign foes, and that such an advantage over the enemies of law and the constitution ought to be celebrated, in order to preserve alive the sacred fire of liberty and independence. That they proceeded to an unjustifiable length in attacking the Mansion-house cannot be denied; but it cannot likewise be denied that the person, who was on that occasion the object of their vengeance, had not acted with that im-

partiality, which becomes a man in a public capacity. Men, therefore, who have no other way of doing themselves justice for the injury which they think offered to the public, because they are unjustly excluded from all share in the choice of representatives, are excusable, when they venture upon these little overt acts of popular justice, which are sanctified by popular prescription. It is in vain to think of freeing the most perfect system of every inconvenience. Liberty will be occasionally attended with licentiousness, when tyranny begins to erect her standard: and it is better to tolerate the short-lived anarchy of the populace, than to remove that controul, which they assume over bad ministers and magistrates. Their intention is always good, and I believe it will be hard to find an instance in history, where they exercised their authority but in opposition to injustice and oppression. The remains of the feudal system, and of ancient slavery, which still adhere to our constitution, have left them without any legal share in the management of national affairs. Is it surprising that they should take their usual summary method of redressing grievances?

The ministers, however, regardless of this circumstance and of the provocation, which they had given, resolved to draw out the military force on all occasions, and to take every opportunity of chastising those, whose irregularities had brought great disgrace upon their impotent policy. The wished opportunity was not long wanting. Wilkes having voluntarily submitted to the jurisdiction of the King's Bench, obtained a reversal of his outlawry as illegal; and endeavoured to get two verdicts, which had been found against him, set aside as unjust; because the records had been altered without his consent, and on the very night preceding the trial; a method of proceeding, which seems inconsistent with natural justice; as it deprives counsel of the means of knowing what he is to plead, and renders the subject liable to ruin at the discretion of a judge. In spite of this consideration, the verdicts were

were affirmed, and the defendant was condemned to suffer two years imprisonment, to pay a fine of a thousand pounds, and to find security for his good behaviour during the space of seven years. This sentence pronounced against a man, who in the opinion of many could never have been convicted, had not the law been flagrantly violated in the first instance by robbing his house, and bribing his servant to commit theft; and in the second instance wrested by a hasty unprecedented alteration of records, appeared to the discerning, severe and impolitic; and to the multitude, unjust and arbitrary. Accordingly the latter expressed their disapprobation openly, and forced Wilkes from the officers, who were conducting him to prison. By his intercession they escaped unhurt; while he was carried in triumph through the city to the Three-tuns in Spitalfields; where he continued till the mob dispersed. At midnight he repaired to the King's-bench, and surrendered himself to the marshal, in order to obey the laws of his country. The populace frequently assembled about the prison: but no damage was done, or attempted; though, from the body of troops, which always guarded the place, it was evident to every man that the ministry watched an opportunity of being revenged. Fortune, however, did not favour their design till the tenth of May, the day, on which the new parliament was summoned to meet for the dispatch of business. On that fatal day great numbers of people crowded about the gates of the King's-bench: all of them being drawn thither by curiosity, as they expected to see Wilkes go to the house of commons. Having waited a long time in vain, they began to clamour for their idol, whom they intended to convey in triumph to the senate. Some justices, who had received private instructions for that purpose from the ministry, joyfully embraced the opportunity, and read the riot-act. The people, exasperated at a proceeding not justified by the occasion, as they had committed no violence or outrage, except clamour

deserve that appellation, began to shew their resentment, by throwing stones and brickbats at the justices as they read that obnoxious act, without which the monarchy subsisted and flourished till the corrupt administration of the Walpoles and the Pelhams. This assault, exasperated in their turn, the soldiers, who, by ministerial treachery, were Scotch; as they were supposed to be more disposed to action than the English, on account of the national quarrels, which the royal predilection for Bute had produced, Some of them accordingly singled out a supposed offender, and pursued him a considerable way, but in his stead shot one Allen, a mere spectator, dead in his father's cow-house, as he stretched out his innocent hands for mercy! This atrocious deed alarmed the neighbourhood; which, prompted by curiosity, flocked to enquire into the cause of such barbarity. Ignorant that the riot-act had been read, the multitude increased every moment; as every passenger stopped at the sight of such a croud opposed by a body of horse and foot, ranged in battalia. The justices, who had been properly tutored by the ministry, thinking their authority set at nought, ordered the soldiers to fire upon the people, of whom above a score were killed or wounded.

The whole nation was scandalized at such a wanton act of power. It appeared clearly that there was no necessity at all for employing the military—that the great croud of people was principally owing to their presence—and that the justices caused the riot, by reading the riot-act. Some of the soldiers were therefore indicted for murder; but by the connivance of magistracy, and the arts of the ministry, they escaped. The whole process was so iniquitous, that they durst not publish the trial of one of the culprits: the judge would not allow notes to be taken in court of the evidence; and it appeared that the justice, who had given orders to fire, would not grant a warrant for apprehending a soldier, whom he knew to be a murderer.

So much more ready was he to obey the orders of a minister, than to execute the law.

But what shocked the public most was, that thanks were in the king's name returned to the detachments employed in this odious service, and that men, who were prosecuted for murder, should be promised all the protection which the War-office could give. It was suspected that a design was formed to effect a breach between the army and the people, and to secure the affections of the former at the expence of the constitution, which discountenances the frequent use of the military power. Nor was the suspicion without foundation; as the ministers had appointed such commissioners of the peace as rendered the civil power contemptible, and had called forth into action those troops, whom local prejudices, national reproaches, and monarchical principles, had most disposed to exercise despotic violence over the abettors of liberty and independence.

However eager the public was to see whether the parliament would demand Mr. Wilkes as their member, and relieve him from that confinement, which his friends represented as so injurious, they were left in suspense and uncertainty. The house was prorogued, after it had made the necessary provisions for the exportation and importation of corn; points, which the high price of the necessaries of life still rendered the objects of parliamentary consideration. The ministry, though sure of a majority on every occasion from the re-election of sir John Cust, to the office of speaker, thought proper to postpone for the present the grand scheme, which they were meditating for the destruction of their most formidable opponent. However determined in their resolution, they dreaded to put it in execution.

But, in order to demonstrate their detestation of corruption and bribery, six months were allowed to the ministry to influence, intimidate, and buy the freeholders of Middlesex, who were now called upon

to make another choice in the room of Cooke, who did not long survive the honour of being returned with Wilkes. Proctor, urged on by the courtiers, resolved to try his fortune once more, and to wipe off the disgrace, which he had sustained by being rejected at the last election. But all the arts exerted during so long a canvass could not prevent a great majority of the freeholders from espousing the cause of serjeant Glynn, a candidate, whom they supposed a friend to the cause of the people, and in whom they hoped to find a zealous defender of the rights and liberties of his country. Unsupported by any personal connections he triumphed over the whole power of the court through the obligations, which he had conferred on the whole nation in pleading for liberty, when other counsellors declined the office. But he had well nigh perished in the midst of his success. When in the course of the poll it was found that the stream of popularity was too powerful to be resisted by the efforts of corruption, a lawless mob of hired ruffians were at a signal let loose upon the peaceable, unarmed, and inoffensive freeholders, in order to destroy those, who could not be bribed, and to seize by violence that freedom of election, which every undue, unconstitutional interposition had failed to overthrow. With *liberty* and *Proctor* in their hats, these desperate bravoës dispersed the electors, and knocked down with bludgeons every person, whom they did not know to be of their party. Some were killed, and many wounded.

The assassins, however, did not escape; two of them were apprehended, indicted, tried, convicted, and condemned to be hanged for murder. But a jury of surgeons, who had received proper instructions from the ministers, were inclosed, and reported that it did not *appear* to them that the murdered person had died of the blows received from the murderers. Without examining a single witness they pretended to set aside the verdict of the grand and petty jury, who heard witnesses, and examined the merits of the case with the

the utmost deliberation and upon oath. In consequence of the representation *a doubt arose in the royal breast* about the guilt of the convicts, who received a free pardon for the most atrocious crime, with which a ruffian can be charged; nothing being a greater enormity than a complication of murder and treason against the constitution. To encrease the astonishment and indignation of the kingdom, the most active of the assassins was rewarded with a pension in the same manner with Macloughlan, who had been suffered to make his escape after the massacre in St. George's Fields.

These violent, unconstitutional measures rendered it evident to the discerning, that a regular plan was laid for making law and justice bend to tyrannical force. No body expected that Wilkes could preserve his seat. Though Glynn had surmounted all opposition, and taken his place in the house, it was foreseen that his colleague would not be so lucky. Many, though no solid, objections might be started against him by malevolence and oppression; and no body was so little acquainted with the vindictive spirit of Carlton-house, as to imagine that they would not be turned against him with every aggravation, which the power of the crown could bestow. An accident furnished it with a great advantage over him. Lord Weymouth had written to the chairman of the quarter sessions in Surry, a letter, which Wilkes, and the nation in general deemed the cause of the murders committed in St. George's-fields. It fell into the hands of Wilkes, who, shocked with the tragedy acted before his eyes, published it with a preface expressive of that horror and indignation, which was so natural to a man of feeling and humanity at seeing ministerial rancour carried to such daring lengths. This was represented as a libel, not only against an individual, but against magistracy, which, according to the ministers, called for vengeance on the delinquent. Accordingly, when the parliament met in December, instead of redressing the grievances

grievances of Wilkes, instead of hearing his petition, which complained of many oppressive acts, particularly of the evasion of the Habeas Corpus, and the alteration of the records, they examined only two points, and would not suffer an account of the public money issued out against him to be produced. Unwilling to expose to the world the method, in which the national treasure was expended by his majesty's order for the defence of ministers in breaking the laws, they garbled the petition in such a manner, that the people suspected with some reason that they meant rather to criminate than to acquit the petitioner. It was not known for some time that this partiality arose from the guilt of almost all the ministers, who have existed from the beginning of this reign. A combination of the adherents of Bute, of Grenville, of Grafton and North, who all adopted this iniquitous, this treasonable practice, rendered it impossible for the few uncorrupt members that remained, to bring this matter to a hearing. A court of justice was forced to give us that satisfaction; to inform the indignant nation that every expence incurred or to be incurred by the king's servants, for having broke the law and undermined the constitution in the case of Wilkes, was by royal mandate to be issued out of the public money; and that in consequence George Grenville, the duke of Grafton, lord North and other commissioners of the treasury had actually signed the orders on the exchequer.

After this proceeding, by which Wilkes was nonsuited, and adjudged not to have made good his charges against the solicitor of the treasury, no body was surpris'd that none of his grievances were removed, and that the charge of breach of privilege, which was brought against him in the upper house by lord Weymouth, was taken up in the lower, and urged as a sufficient cause for expulsion. The preface to Weymouth's letter was reckoned sufficiently gentle by the public; and Wilkes at the bar of the house, declared, that he was sorry he had not expressed himself in
stronger

stronger terms: but that he would certainly find more pithy language, whenever a similar occasion occurred. The house with great complaisance resolved it to be an insolent, scandalous and seditious libel; and, as he was sentenced to two and twenty months imprisonment for having published a seditious libel, and three obscene and impious libels, and was now in execution under the said sentence, Barrington moved that he should be expelled; and the sober, conscientious and modest Rigby seconded his proposal.

The only arguments, which they could advance for this extraordinary motion, was that he could not attend his duty in parliament for several months, and that, if he could, yet this fresh libel, as well as his former libels and impious attacks on virtue and religion, rendered him unfit to occupy a seat in such an august assembly as the senate of the nation.

It must be extremely edifying, said his friends, to every man, that knows them, to see these gentlemen come over to the interest of morality and espouse the cause of religion. It is what their most intimate acquaintances never expected; as nothing is more notorious than that those, who are constantly in their company, have ever been at enmity with both virtue and religion. If three obscene and impious libels be a sufficient cause for expulsion, how much more must a life be so, that has been one continue scene of obscenity and impiety? People should be extremely cautious how they move subjects of this nature, for fear the question should be brought home to themselves. If we allow charges of this kind sufficient grounds for expulsion, there is reason to apprehend that we shall be obliged to part with many members, who now hold their heads very high, and that the house will become somewhat thin. The offence, with which Wilkes is now charged, does not fall under the cognizance of this house; for the libel against Weymouth does not arraign us. The courts of justice are therefore the proper judicatures for trying the merits of the cause.

Precedent is against any other procedure. For the other libels he has been already expelled: the house punished him for an attack upon the legislature. Shall we chastise him twice for the same offence? If we do, I fear we shall be reckoned the slavish dependents of a minister. In order to satisfy his vengeance we are to violate not only the forms but the essence of our constitution. We are to blend the executive and judicial powers of the state with the legislative, and to extend our jurisdiction, that we may take upon ourselves the odium of trying and punishing in a summary manner an offence, which does not affect us, but is subject to the cognizance of the laws. In the exercise of this assumed power we are to form an accumulative and complicated charge, which no other courts, nor even we have ever admitted in other instances. We are to mingle new crimes with old, and to try a man twice for the same misdemeanour. We are to transfer the censures of a former parliament into the hands of the present, which is to make them the foundation of a new punishment. We are to assume a power of determining the rights of the people, and of their representatives, by no other rule but our own discretion or caprice; and lastly, we are to attempt to persuade mankind that we take all these steps in order to vindicate our own honour, to express our respect for the king, and to manifest our zeal for the sacred names of our God and our religion. What is this but adding hypocrisy to violence, and artifice to oppression? It ought to be remembered, that falshood and dissimulation are but the apes of sense and ability; a false garb, which fools put on, and think they wear the robe of wisdom. If we be weak enough to suffer ourselves to become in such hands passive instruments for carrying such a plan into execution, we shall undoubtedly fall into the lowest state of humiliation and contempt. A few individuals may by their opposition exempt themselves from the disgrace, with which it must be attended; but the dishonour and odium of it will cleave to this

this assembly, which ought to be the constant object of reverence and affection.

These arguments had little effect: the expulsion was previously concerted; and Wilkes was accordingly expelled. But, like Antæus, he gained new vigour from his fall. The freeholders of Middlesex thinking the crimes alledged as the causes of his expulsion, the most powerful arguments for his re-election, returned him once more with the greatest unanimity. The commons did not hesitate to set their face against the electors. They resolved that Wilkes having been once expelled, was incapable of sitting in the same parliament; and that therefore the election was void. The freeholders judging, as was natural, that they were the only proper judges of the persons qualified to transact their business in the senate, persisted in their resolution, and constituted him a third time their representative. It was in vain, that one Dingley stood candidate: no man was found so hardy or so base as to propose him on the hustings.

The resolution of the county was now so well known, that no gentleman of character would expose himself to ridicule and detestation, by opposing the popular prisoner. The commons began to perceive that power without materials for operation can produce no effect. They might render the election for ever void without any consequence: if no other candidate appeared, their determination could be only negative. They made the election, however, void, and ordered a new writ. At the instigation of the ministry, Colonel Luttrell, designedly vacated his seat in parliament, and offered himself a candidate; being previously assured that, if he had four votes, he should be the sitting member. A few dependents of the court gave him their voices; and he was seated in the place of Wilkes, who was returned by the sheriffs; as he had almost four times as many votes as his antagonist.

The nation was immediately alarmed, and began to

to enquire by what new species of arithmetic the House of Commons regulated their decisions. The most ignorant saw and felt that a majority of electors conferred the right of representation, and wondered how the sheriffs should be by law obliged to return the person, whom by the same law the commons were obliged to reject. They sought for a solution of this enigma, and found it only in that omnipotence, which the commons arrogated; in that power which they claimed of superseding the law, and substituting their own vote in its place.

It is not that ministerial advocates had not on this occasion many arguments, or rather sophisms to advance in support of this decision. "Those, said they, who enquire whether a smaller number of legal votes can elect a representative in opposition to a greater, must from every tongue receive the same language: they must be answered in the negative. The question therefore must be, whether a smaller number of legal votes shall not prevail against a greater number of votes not legal; and here it is to be considered that those votes only are legal, which are legally given for a legal candidate. Nothing then remains to be determined but whether a man expelled can be so disqualified by a vote of the house, that he shall be no longer eligible by lawful electors. Now here it is evident, that the expulsion infers exclusion, or disability. For the expulsion and the writ happened in the same session, and, since the house is by the law of parliament bound for the session by a vote once passed, the expelled member cannot be admitted. He, that cannot be admitted, cannot be elected; and the votes given to a man ineligible being given in vain, the highest number for an eligible candidate becomes the majority. The disability is no more than what was included in the expulsion: it is only a declaration of the house, that they will no longer permit him, whom they

they thus censure, to sit in parliament; a declaration made in consequence of that right, which they necessarily possess of regulating their own house, and of inflicting punishment on their own delinquents. They have therefore no other way of enforcing the sentence of incapacity, but that of adhering to it. They cannot otherwise punish the candidate so disqualified for offering himself, nor the electors for accepting him. But, if he has any competitor, that competitor must prevail; and, if he has none, his election will be void; for the right of the house to reject annihilates, with regard to the man so rejected, the right of electing. The vote of the commons has so far the force of law, as that force is necessary to preserve the vote from losing its efficacy. If they had only the power of dismissing for a few days, the man, whom his constituents can immediately send back—if they can expel, but cannot exclude, they have but a nominal authority, without virtue or energy; and perhaps it may be never obeyed. The representatives of our ancestors entertained a very different opinion: they fined and imprisoned their members: on great provocation they disabled them for ever; and this power is maintained by Selden himself. Why should not the commons have the same authority over their members, which the upper house claims over the peers? They expelled Bacon and Macclesfield from their assembly, and excluded them forever from re-assuming their seat. Have not we a just right to exclude for seven years, when they can exclude for life? It is surprising how any friend to the people can thus propose to abridge our privileges, which are in fact the privileges of the people; since the more important we become, the more importance they must acquire in the state: the constituents and their delegates being virtually the same. He who would divide them, must be an enemy to the constitution, which warrants incapacitation as well as expulsion; precedents and the law of parliament declaring in our favour."

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“ It is true, said the opposition, that those who would effect a breach between the commons and the people, are enemies to the constitution. But those who would invade the rights of the people, are guilty of this crime, not those who would preserve them. Nor shall we deny, that the constituents and their representatives are the same, and that the importance of the one encreases that of the other; but we must observe, that can only be the case, when they pursue the same interest. Nothing can be more futile than to pretend that an expelled member cannot be admitted, because the house is bound for the session by a vote once passed. Those expelled by act of parliament for accepting places are admitted; and the journals of the house prove, that members expelled for other reasons have sat in the same session. Besides, a member does not sit in consequence of a vote, but of his election. It is not the act of the commons, but of the constituents, which creates his right. Their vote therefore is not at all concerned in the question. This reasoning, which is in fact begging the question, is as absurd and ridiculous as that, which says, that the right of the house to reject annihilates, with regard to the person so rejected, the right of electing. It would be more rational, as well as constitutional to assert, that the right of the freeholders to elect annihilates, with regard to the person so elected, the right of rejecting. When was it ever heard, that the house of lords rejected a peer elected by the sovereign? How then can the commons pretend to reject a representative chosen by the people, the proper electors! In order to overthrow the whole of this new-fangled doctrine, we need no other arguments but those furnished by the common law. The freeholders, as such, are prior in existence to either house, being anciently the assessors of the barons, and having a right to a vote in the great national assemblies. Their rights therefore are coeval with the constitution, and cannot by any power be taken away without their own consent; nor indeed even by that; as the act of the
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the father would not be binding on the son, and could not deprive him of unalienable property. The commons indeed are the representatives of the people, and transact for them what they managed formerly in person. But the commons cannot shew that they have been entrusted with the right of chusing representatives, much less of rejecting them, when chosen by the constituents. Could they even point out any period, at which they exercised, or were allowed, such a privilege, no inference could be drawn from it to the prejudice of the people, who have an undoubted right to overturn every pernicious precedent. What then! say you, are not the customs, precedents, and decisions of every court a law? Never: it is not a course of precedents and decisions, that constitutes any thing a law; but the just grounds—the rational principles upon which it is founded. One would have thought the fate of general-warrants might have settled this point, and deterred every class of men from building on so sandy a foundation. If then an uniform course of precedents be not sufficient to establish a law, how much less will that effect be produced by a series of the most fluctuating, absurd, and contradictory precedents, that the world ever saw; precedents, which became such a shame and reproach to the commons, that, in order to extricate them from an inextricable labyrinth, an act was found necessary to set aside all their decisions relative to any election but the last. No man of sense ever calls in precedents to his assistance in any argument, but as comments and explanations. Being only declarations of other fallible men's opinions, they must ever give way to principles; and were the commons governed more by principle, and less by party rage, personal animosity, and interested views, they would not be so ready to have recourse to engines, which may be applied to any purpose, to the destruction as well as to the improvement of the constitution: engines, which, like a two-edged sword, cut either way, and may be twisted and turned,

like a nose of wax. What then becomes of the law of parliament, which is founded on precedent? Must it be annihilated? No; but it must never stand in competition with the common law, which is prior and paramount to it, which is a law to parliament, and as binding upon it in a judicial capacity, as upon the lowest court in the kingdom. By this law no subject can be disfranchised but by an act of the three estates of the realm; nor can even they disfranchise such a body as the electors of Middlesex, because, as we have shewn, such an act would be a subversion of the constitution, and a dissolution of government. Many authorities have been produced to prove the exclusive jurisdiction of the commons in determining the rights and qualifications both of the electors and the elected. But, suppose this jurisdiction allowed in its fullest extent, what inference can be drawn from it to establish their right to create an incapacity? None: it only establishes their right of determining these points according to law, the estate and birthright of the people. Various classes of men are said to be disqualified by the sole votes of the commons; and these votes are alledged as proofs of their disqualifying power. Nothing can be worse founded than this allegation; an examination of all the cases upon which it is built, will shew that all the resolutions, which give the least colour to the argument, were grounded on the principles of the constitution, and derived all their efficacy from that source: so that they were nothing more than declarations of what before was law, and therefore of more or less authority, as they were more or less sanctioned by that supreme rule. In the present case, Mr. Wilkes is adjudged incapable of being elected. But how is he incapable? Not by any legal disability, not by any law prior to his expulsion; but by a vote of the commons, by the very act of expulsion. Is then a vote of the commons equivalent to a law? No; far be such blasphemy from every senator's mouth: and, were it so, it could not supersede the

most sacred law of the land; it could not disfranchise a subject, and in him the whole people of England. But perhaps the word expulsion implies, that an expelled person shall never become again a member of the same parliament? Strange magic this in a word indeed! May not any relation, though dissolved, revive again in the same manner that it was at first created? The masters of a school, the governors of a college, or club, have the power of admission, and therefore of constituting, dissolving and renewing the relation of the members. The commons do not stand in the same predicament: they do not make themselves, and therefore cannot create a member. That power the electors possess; and, as it is by their election that the relation is at first created, so by the same process may it after cessation or dissolution be revived. Thus, upon a false return or void election, a member is really and substantially expelled. Yet he may be re-chosen; and so may one ejected for accepting a place. What clearer proof can be desired, that expulsion does not imply a total and perpetual exclusion from the expelling parliament? An arbitrary Tory parliament first broached this idea of incapacity resulting from expulsion. A doctrine propagated by such a class of men deserves the patronage of our present ministers, who are their avowed disciples. Yet even these tyrannical despots did not proceed so far as our modern race of dictators: they did not vote Taylor chosen upon the exclusion of Walpole. Their principles indeed led them to this step: but they durst not venture their brittle bark on such a dangerous rock; they foresaw it must split on such novel, such unconstitutional ground. Without the gift of prophecy one may safely aver, that our present adventurers will be wrecked on the same shelves. But to what purpose do they produce Walpole's case to authorise the late decision? It has the same weight as a determination of the star-chamber would have in a case relating to the liberty of the press. It is not one, or two pre-

cedents, even in good times, without principles; much less precedents contrary to principles, and in bad times, that will establish a law. Many reasons might be urged against all expulsions. If they are necessary to one house, why not to the other? The lords have sustained no great loss from the want of this privilege; much less would the commons, whom the next election will in all probability free of any member that is justly obnoxious. As every representative is with regard to his election and seat independent of the rest, he ought to be liable to no other expulsion but a recall from his constituents. As long as he pleases them, he ought to please his fellows. But as custom has established the right of expulsion, let it, for God's sake, be confined to its ancient limits, that the representative assembly may not be garbled, and stript of its most valuable members according to the dictate of an arbitrary minister or tyrannical king. If the house has a right to incapacitate one man, it has the same right to incapacitate two, three, or any number; that is, it can disfranchise all the electors of England; it, that cannot make a law to deprive the meanest subject of the lowest right, can take from the whole nation its noblest inheritance, the very foundation of all its rights! No such power was, or could be delegated to it; and as it did not make itself, it cannot make its own power. Where then is there any foundation left for this strange claim? Shall it be said, that the end of expulsion cannot be answered but by perpetual exclusion? The suggestion is true, were the satisfaction of the rage and malice of a majority the only end intended. But that is not the case. The only rational ends are to secure to the constituents a proper representation, to preserve the purity of the house, and to punish offending members for the preservation of order and the prevention of crimes. But is incapacity necessary for these purposes? No: the first end is fully obtained by simple expulsion without incapacity, because it gives the opportunity

portunity of a new choice to the constituents, who ought to have the power of affirming or reversing the sentence of the representatives, as a proper check upon their interested views or intemperate zeal. Had it not been for this circumstance of giving the people a new election, it may be questioned, whether the commons would ever have numbered the power of expulsion among their rights. Certain it is, that they could never have formed the least pretensions to it, if the right of re-calling deputies had been exercised, as the nature of the service requires. The constituents are the best, and indeed the only judges of the qualifications necessary in their representatives: their decision therefore ought to be ultimate, and subject to no appeal. The contrary doctrine is pregnant with the highest arrogance and presumption, as it treats the people of England, like minors, who are incapable of appointing their own guardians. As to the third end, the preservation of the purity of this immaculate house, it will not be saying too much if we assert that the laws of the land are sufficient. If any extraordinary case should occur, we may, as in former times, impeach. The lords have no other power in their hands for this purpose but the laws, which have hitherto preserved them from any signal disgrace. Are not we equally capable of employing the same engine? The third end, which is punishment, is sufficiently answered by expulsion. If the disgrace, which ensues, be not thought an adequate punishment, we presume the majority will allow the expence of a second election is so. For what other reason are they so violent against a dissolution? It is to be hoped they are not afraid of losing their wages. If the member be re-elected without expence, and incur no disgrace, it is no great sign in favour of the expulsion; there is reason to suspect its justice and expediency. Supposing both equally fallible, it is much more rational to allow the judgment of the electors to prevail than that of the commons, as the former must know their own affairs best,

and the latter are in these points too often influenced by private views and ministerial arts. "But shall they be at liberty to restore, who had no power to expel?" The answer is, shall they be at liberty to expel, who have no power to restore, nor to create? The question is convertible; and there is no absurdity in saying that they, who ought to have the right of re-calling, ought also to have the power of expelling.

"But suppose the people, not their deputies, convened, may not a member, by indecorum, treachery, or immorality, forfeit his right to a seat in their assembly; and are not the majority the sole judges of his fitness to continue a member? If they judge him unfit, can he regain his seat against the sense of the majority? In answer, suppose the freeholders of Middlesex assembled to chuse a representative, can they exclude a single member from voting? No: he holds his freehold independent of them, and can be disfranchised only by law. "Admit then, that incapacity was not a necessary consequence of the expulsion; yet the express declaration of incapacity by the resolution was binding on the electors." Excellent logic this! Though the house could not in the first instance make a resolution equivalent to a law of incapacity, they could declare it such in the second instance: justifying in this case the old proverb, which says, that two blows are better than one. I suppose we shall by-and-by hear of two acts of parliament being necessary on every occasion; one to lay the foundation, another to declare the meaning. Thus, though the house cannot make the law, it can declare it; and, whatever it declares to be law, is law, because there is no appeal from its jurisdiction. At this rate, were the house to resolve that London has no right to send four members to parliament, and then to declare that this was law, it must be so. Precedents and decisions would be no longer necessary: a resolution and declaration would do every thing. What an absurd and monstrous doctrine! Such a judicature would be a
basilisk

basilisk to kill the law, whenever it should dare to look it in the face. But you will find yourselves mistaken, if you think there is no appeal from your jurisdiction. You and every other court are answerable to the people of England, who will not tamely see their rights invaded, nor their understandings mocked by evasions, subterfuges, and cobweb reasonings. They may be called, if you will, low mechanics, sturdy beggars, and the scum of the earth; but, let their name be what it will, if the gauntlet be once thrown, they will decide the fortune of the field. That matters may not be carried to this extremity, no wise, no honest man will vote for this expulsion."

These arguments had no influence on the majority; they persevered in their resolution of rendering themselves as much as possible a self-existent body, of vacating seats by their own authority, and filling them up by co-optation. It was in vain that the freeholders of Middlesex petitioned against this new unconstitutional exertion of power; little attention was payed to their application: the house voted that they could not according to the law of parliament reverse in the same session a resolution once passed.

Having, as they imagined, settled this affair, they proceeded to vote the supplies, which amounted to the usual sum. The land forces were, as in preceding years, fixed at 17,142, and the seamen at 16,000. The former regulations for reducing the price of corn having not answered expectations, the bounty allowed by act of parliament on exported wheat was discontinued and our ports were opened for the importation of foreign grain: a measure, which soon relieved the distresses of the poor. Some steps were taken to reduce the price of leather, and an act of insolvency was passed.

At the request of a general court of East India proprietors the following propositions were laid before parliament, as the basis of a new agreement, and they were accepted.

I. Four hundred thousand pounds a year shall be continued to the public for five years from the first of February.

II. The company shall be at liberty to encrease their dividend to twelve and a half per cent. during the said term, provided they do not in any one year raise it above one per cent.

III. If, during the said term, the company should through any cause be forced to reduce their dividend, there shall be deducted from the sum payable to the public a sum equal to this reduction: in like manner, if the company's dividends be during the said term again raised, the public shall receive equal benefit: but, if the dividends be reduced to six per cent. then the payment to the public shall cease.

IV. The company shall be obliged to export in every year during the continuance of this agreement, goods of the growth, produce or manufacture of Great Britain equal in value to the average amount of the goods exported in the course of the five years preceding this agreement.

V. If any surplus of cash should remain in England during the said term, after the discharge of the company's simple contract debts bearing interest, and after the reduction of the company's bond debt to the debt, which shall be due to the company from the public, that surplus shall be lent to the public at two per cent.

After the conclusion of this advantageous bargain the parliament, in obedience to a message from the king, proceeded to make up the deficiencies of the civil list, which was above half a million in arrears. The subject was introduced by lord North on the last day of February, and on the second of March the sum of 513,511 pounds was granted: a sufficient proof that no enquiry was made into the manner, in which the debt was contracted. The opposition indeed contended for the necessity of so constitutional a measure: but the majority were of a different opinion.

“ Though

“ Though ministerial encroachments, said they, are always to be watched with the utmost jealousy; yet, in strengthening the constitution by establishing the independency of the judges, no secret practices injurious to liberty can be reasonably apprehended. His majesty has been exposed to a considerable expence in supporting the royal family, in entertaining several foreign princes, in maintaining a suitable splendour at his coronation and marriage, and at the marriage of his two sisters. These circumstances account for the deficiency. Had the king reserved to himself the 700,000 pounds, to which his legal share of the captures made in the late war amounted, he would have no occasion to make his claim on the gratitude and justice of the nation, which, after such instances of patriotism, moderation, and disinterestedness, cannot without disrespect, without an appearance of unbecoming distrust, require a minute detail of the expenditure of the civil list.”

“ The judges, said the opposition, were rendered independent by the revolution, as they were not left removeable at pleasure. It is in this reign that they were brought back into a state of dependence, as the appointment of their salaries depends, by the late act, upon the discretion of the crown. Accordingly we find their subserviency to the court complained of by the people. His majesty had no just title to the least share of the captures; the fixed sum of 800,000 pounds was by his own desire allotted him in lieu of every claim. The arguments founded on the expence, to which he was exposed through marriages, coronations and entertainments, can have little weight. Besides similar charges, his grand-father was encumbered with two unnatural rebellions; yet though his minister was not thought the most incorrupt of men, the arrears of the civil list never amounted in such a short period of time to so enormous a sum. Since then the value of money was the same, since his income was

not

not by your own confession so ample or certain, to what must we ascribe so extraordinary a deficiency? Your reluctance to produce the accounts explains the mystery. Had the money been expended in a constitutional manner, had your accounts been clear, and your hands clean, you would never have hesitated to give a minute detail of every article. If his majesty be that patriot he is represented by you, he must, instead of wishing to withhold from us the accounts of all monies, and especially those of the civil list, desire above all things to subject them to our examination. No other plan can secure him the confidence of the people, who cannot but with jealousy and distrust see their money granted at the requisition of a minister, and disbursed at the discretion of the crown, without any check, without any account of the expenditure. No honest man, much less a patriot king, will desire such a dangerous power, which may be employed in undermining the constitution, in procuring a corrupt majority in this house, in polluting the fountain of the laws, and buying the guardians of the people with their own money. The people, aware of this danger, and suspecting that the debt has been contracted in this base and treasonable manner, have instructed many of their representatives to make an exact scrutiny, before a shilling is granted. Will you refuse them this satisfaction? If you do, disgrace and infamy will attend you; they will no longer consider you as their representatives, but as their plunderers and robbers. For they will plainly see that, if your conduct was blameless, you would be ready to do them this justice. It is not, that the people are averse to pay off the debts of the crown. Shew that they were fairly contracted, and they will not murmur. But, while you hide them under the mysterious veil of concealment, they will suspect the scene to be darker, if possible, than it is; they will see and feel that you are leagued with the crown against them, that you crouch to prerogative for your daily bread."

After

After this specimen of the majority's integrity, it is no wonder that the nation was alarmed. Having seen them violate in a daring manner the right of election, which is the foundation of all their franchises, and of all kingly as well as senatorial dignity, the people began to rouse from their lethargy, and to clamour loudly for the restoration of their ravished privileges. This spirited conduct was principally owing to the virtue of the freeholders of Middlesex, who, as they had triumphed over all the ministerial arts of corruption, resolved not to suffer their own servants to obtrude a member upon them against the sense of the whole county. The corporation of Morpeth had been treated with the same injustice; but, being neither so great nor so respectable a body, the electors could not interest the nation in their cause, or raise so general a ferment, as now prevailed through the honest independence of the freeholders of Middlesex, who assembled at Mile-end, and agreed on the following petition to the king.

" Most gracious sovereign, We your majesty's dutiful and loyal subjects, the freeholders of the county of Middlesex, beg leave with all affectionate submission and humility, to throw ourselves at your royal feet, and humbly to implore your paternal attention to those grievances of which this county and the whole nation complain, and to those fearful apprehensions, with which the whole British empire is most justly alarmed. With great grief and heartfelt sorrow, we have beheld the endeavours of certain evil-minded persons, who attempt to infuse into your royal mind, notions and opinions of the most dangerous and pernicious tendency; persons, who counsel and promote measures, which cannot fail to destroy that harmony and confidence, that should ever subsist between a just and virtuous prince, and a free and loyal people. For this wicked purpose, they had introduced into every part of the administration of our once happy and legal constitution, a certain unlimited and indefinite
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discretionary power; the prevention of which is the sole aim of all our laws, and was the sole cause of all those disturbances and revolutions, which formerly distracted this unhappy country. For our ancestors, by their own fatal experience, well knew, that in a state where discretion begins, law, liberty, and safety end.

Under pretence of this discretion, or, as it was formerly, and has been lately called, law of state, or political necessity, we have seen "English subjects, and even a member of parliament, arrested by virtue of a general warrant issued by a secretary of state in defiance of the law of the land. This secretary we have seen protected by your majesty's order, with the public money, and secured by a privy seal from sustaining any damages for breaking the laws. We have seen the houses of Englishmen rifled and plundered, their papers seized, and after being garbled and mutilated, produced as evidence upon trial.

Nor is this all; their bodies have been committed to close imprisonment; their friends and council have been denied access, the Habeas Corpus has been eluded; trial by jury has been discountenanced; the first law officer of the crown publicly insinuating, that juries are not to be trusted. Printers have been punished by the ministry in the supreme court without a trial by their equals, without any trial at all. The remedy of the law for false imprisonment has been barred and defeated: the plaintiff and his attorney for their appeal to the law of the land have been punished by expences and imprisonment, and made by forced engagements to desist from their legal claim. A writing has been judged a libel by a court, where it was not cognizable in the first instance: a proceeding contrary to law, because all appeal is thus cut off, and inferior courts and juries are influenced by the predetermination. A person has been condemned in the said court as the author of the said libel without a hearing, without defence or trial. Petitions have been unjustly treated

treated by a partial selection of those parts, which might be wrested to criminate the petitioner, and a refusal to hear those, which might procure him redress. A minister has proposed, that the thanks of one branch of the legislature should be given to an acknowledged offender for his offence with the declared intention of screening him from the law. Attachments have been wrested, from their original intent of removing obstructions to the proceedings of law, to punish by sentence of arbitrary fine and imprisonment, without trial or appeal, supposed offences committed out of court. An Englishman has without trial, conviction, or sentence, been condemned to perpetual imprisonment by the same mode of attachment, in which the same person is at once party, accuser, judge and jury.

Instead of the ancient and legal civil police we have seen the military introduced on every occasion, and unnecessarily and unlawfully patrolling the streets to the alarm and terror of the inhabitants. We have seen the lives of many of your innocent subjects wantonly destroyed by military execution; this execution solemnly adjudged to be legal; murder abetted, encouraged and rewarded; the civil magistracy rendered contemptible by the appointment of improper and incapable persons; the civil magistrates tampered with by administration, and in consequence neglecting and refusing to do their duty; mobs hired, and riots bred by the ministry in order to justify and recommend their own illegal proceedings, and to prejudice your majesty's mind by false insinuations against the loyalty of your subjects; the freedom of election violated by corrupt and undue influence, by unpunished violence and murder; the just verdicts of juries, and the opinions of the judges, over-ruled by false representations to your majesty, and the determinations of the law set aside by new, unprecedented and dangerous means; the guilty being thus left without restraint, the injured without redress, and the lives of your subjects at the mercy of every ruffian protected by administration.

Obsolete

Obsolete and vexatious claims of the crown have been set on foot for partial and election purposes. Partial attacks have been made on the liberty of the press: the most daring and pernicious libels against the constitution and the liberty of the subject being suffered to pass unnoticed, while the slightest libel against a minister is punished with the utmost rigour. Wicked plans have been laid to encrease and establish a standing army, by attempting to vest in the crown an unlimited power over the militia: plans, which if they succeed, must sooner or later subvert the constitution by augmenting the power of administration in proportion to its delinquency. Repeated and successful attempts have been made to diminish the importance of members of parliament individually, in order to render them more dependent on administration collectively, even threats having been employed by ministers to suppress the freedom of debate, and the wrath of parliament denounced against measures authorised by the law of the land. Resolutions of one branch of the legislature have been set up as the law of the land, which is a direct usurpation of the rights of the other two branches, and therefore a manifest violation of the constitution. Public money has been shamefully squandered away; no account being given of its expenditure, and all enquiry into the cause of arrears in the civil list prevented by the ministry. The examination of lord Holland's public accounts has been by your majesty's orders stopped in the exchequer, though the sums, for which that paymaster has not accounted, amount to forty millions sterling. Public loans have been perverted to private ministerial purposes, to the purchase of unconstitutional influence in the senate, and the accumulation of enormous private fortunes. Public honours and rewards have been abused and prostituted by bestowing them on men, who could plead neither public virtues nor services. Irreligion and immorality, which ought to be discountenanced by the example of the great, are encouraged

raged by administration both by example and precept. Nor are your British subjects the only sufferers. The same discretionary power of which we complain has been extended by the same evil counsellors to your majesty's dominions in America, and has produced to our suffering fellow-subjects in that part of the world, grievances and apprehensions similar to those, under which we labour.

Such, most gracious sovereign, are the grievances and apprehensions, which have long discontented and disturbed the greatest and best part of your majesty's loyal subjects. Unwilling, however, to interrupt your royal repose, though ready to lay down our lives and fortunes in defence of the constitution, we have waited patiently in expectation of a constitutional remedy from our own representatives. But, now that our legal and free choice has been repeatedly rejected, and the right of election finally wrested from us by the unprecedented seating of a candidate, who was never chosen by the county, who, even to become a candidate, was obliged fraudulently to vacate his seat in parliament under the pretence of an insignificant place, and who was invited to become a competitor by the prior declaration of a minister, that whoever opposed our choice, though with but four voices, should be the sitting member for the county, we can no longer refrain from approaching your throne. By this last act we see ourselves deprived even of the franchises of Englishmen, reduced to the most abject state of slavery, and left without hopes, or means of redress, but from your majesty or God. Deign then, most gracious sovereign, to listen to the prayer of the most faithful of your subjects, and to banish from your royal favour, trust and confidence for ever, those evil counsellors, who have endeavoured to alienate your majesty's affection from your most sincere and dutiful subjects; who have suggested notions subversive of your people's dearest and most essential rights, who have traiterously dared to depart from the spirit and
letter

letter of those laws, which have secured the crown of these realms to the house of Brunswick, in which we make our earnest prayers to God, that it may continue untarnished to the latest posterity."

This petition, which we have set down as a specimen of the rest, not so much for its superior excellence, as for its enumerating most of the national grievances, did not point out to his majesty the mode of redress: but it was evident that the dissolution of parliament was meant; because no other remedy was lodged in his majesty's hands. The whole nation was convinced of this truth; but the court did not chuse to understand the matter in this light; they endeavoured to turn the petition into ridicule, as soliciting his majesty to overturn the constitution, and to encroach upon the privileges of the democratical branch of the legislature, whose resolutions he could not annihilate without endangering the whole system of our liberty, and assuming that despotic authority against the exercise of which they clamoured with such violence.

The electors of Westminster attending to the nature of this defence, and sensible that on such occasions decisive measures are the best policy, petitioned expressly for an immediate dissolution of parliament; a vigorous as well as legal resolution, which all discerning patriots lamented had not been taken by Middlesex and the city of London, who led the way in applying to the throne. The county of York, and several others followed the example, till it was evident, that the petitioners in general constituted the majority of the nation. For, if we divide the land-tax into 513 equal parts, we shall find that the petitioning counties pay more than those, which have not yet taken that step, by twenty-five of these parts; and the reader needs not be told that those parts of the kingdom, which pay most, are most populous. More counties, however, would have embraced this measure, had not the ministry exerted all the influence of the crown to prevent

prevent it. The people perceiving that the cause was common, and that the injury done to Middlesex might soon be extended to other counties, were alarmed with the national danger, and wanted only leaders to become unanimous in their application to the sovereign for the dissolution of parliament. By the connection subsisting between the crown and the chief men of each county the enthusiasm of the middling class, who are in every country the best support of public and private virtue, was damped, and hindered from breaking out into public resolutions. The constitution, which with little prudence supposes that the prince will always act for the public good, has left the nomination of lords lieutenant, sheriffs, and other officers to the crown, and by those means rendered it in a great measure master of their determinations. This power was sufficiently felt at the commencement of the present ferment; and it is no small proof that much virtue still remains in the nation that the people were at last able to surmount so great an obstacle.

Before any petitions were yet framed, much less subscribed, the court, availing itself of its authority over sheriffs and justices of the peace, procured from the quarter sessions addresses complaining violently of sedition, licentiousness, and disaffection. A few gentlemen of Essex, who were almost all attached to the ministry by places, pensions, favours, or expectations, set the example. They approved highly of the administration, and expressed the utmost abhorrence rather for the measures, which they suspected would be taken by the people, than for those which they had already taken: for hitherto they had done nothing, except the intemperate, though natural, rejoicings of the populace might be viewed in that light. After this exploit, which could not be deemed the act of the county, as it never had been called to the meeting, the same honourable men posted away to Surry, and procured with the utmost difficulty a surreptitious address of a similar nature. I call them surreptitious; because

because they were regularly declared such by these two counties, and by every other place of note in England, where they were obtained. Even Coventry, whose corporation had, at the instigation of a ministerial lord, aspersed a society of gentlemen, that called themselves the supporters of the bill of rights, and patronised the popular prisoner, was ashamed of the deed, and resolved on a petition in order to wipe off the disgrace. And this may with justice be said, that wherever a hundred could be inveigled to sign an address, thousands crowded voluntarily to set their names to a petition; and the ministers to their other impolitic measures added that of soliciting addresses, as every body of men thought their honour concerned in preventing the imputation of such scandalous conduct.

Notwithstanding this backwardness in the people to congratulate his majesty on the wisdom of his government, the ministry did not relinquish their project. Sensible how much they stood in need of support, they grasped, like drowning men, at every straw. The merchants of London had addressed the throne on the peace. It was apprehended, that the same engine might now be rendered useful. Accordingly, a few stock-jobbers, Jews, Dutchmen, and Scotchmen, who either enjoyed, or hoped to enjoy, lucrative contracts from government, were set in motion. They advertised a meeting of the merchants and other principal inhabitants at the King's arms-tavern, in Cornhill. No more than thirty gentlemen could be collected: it was therefore necessary to repeat the advertisement, and to make particular application to those who were deemed favourable to the cause. On the day appointed a small number assembled, and found the ministerial leaders would not allow the address, which they had prepared, to be read, nor its contents to be debated. They insisted that every man, who did not chuse to sign it, should retire, and leave the field clear for those who were willing to be led blindfold. This irregular and unfair conduct offended the company, which

which in general clamoured for a chairman. The addressers clamorously cried out, "no chair, no chair;" and carried their riotous outrages so far as to attack the other party with fists and sticks. But as the number was not great, nor their persons respectable, these disgraceful measures could not long find support; and they were forced to make off with their address, which was lodged at the merchant seamen's office over the Royal Exchange, that it might be signed by all those, whom repeated advertisements, private letters, and other arts could influence. As might be expected, a beadroll of obscure names was procured, and they set out from the exchange one afternoon in such carriages as they could hire in order to present it to his majesty. In Cheapside they were universally saluted with hisses, groans, and volleys of dirt; and in Fleet-street, the multitude grew outrageous. Having broke the windows of the coaches with stones and glass bottles, they dispatched a party to shut the gates of Temple-bar; a stratagem, which threatened a total stop to the cavalcade. The city marshal and his attendants, by whom, for the sake of security, they were preceded, attempted to relieve them in this exigence; but he was repulsed, after having his clothes torn off his back, and his head wounded in two places. The people in the carriages were then attacked: several of them being covered with dirt were obliged to take shelter in the adjoining houses: some drove through obscure lanes and streets; but the greatest part returned home; which proved by far the wisest course; for very few of the most sanguine could reach St. James's: and when they did arrive, behold! no address could be produced. Boehm, the Dutchman, in whose study this palladium of the British constitution was lodged, had in the hurry of consulting his own safety left it under the cushion of his coach. Neither this pusillanimity, nor the filth, with which the addressers were crusted over, could disgust his majesty: he waited very graciously for the space

of several hours, till, after consulting sir Fletcher Norton about a proper succedaneum to the lost relique, they were happily relieved by its arrival. The few coaches which reached Exeter 'Change, were there joined by a hearse drawn by a black and white horse, and drove by a man, who was cloathed with a rough coat resembling a skin; his head being covered with a large cap, black on one side and white on the other. His whole figure was very grotesque, and a proper emblem of the motley cavalcade which he preceded. On one side of the hearse was painted on canvass a representation of the ministerial hirelings murdering Clarke at Brentford; and on the other appeared a lively picture of the soldiers firing on young Allen in the cow-house. The hearse made a short stop at Carleton-house, at the duke of Cumberland's, at lord Weymouth's, and at the palace, where the populace would have introduced it as a partial representation of their grievances. The riot act was read at St. James's, and several persons were taken into custody. But, though the court arraigned them with the utmost rancour of malice, they were upon a trial acquitted; no proof of guilt appearing against them to the jury.

The ill success of this address did not reach the ministers prudence: they still continued to solicit more undeserved encomiums, wherever they had the least influence. In Scotland particularly they exerted their interest; and it must be confessed, that they met with a proper return. Hardly a fishing town upon the coast failed in sending up a loyal skin of parchment. One member presented no less than five addresses from the boroughs which he represents. Though a placeman before, he was for this Egyptian task, appointed barrack-master for Scotland. In the same manner other places were inveigled by the partial and false representations of their members, in whom, though placed and pensioned, they reposed an unreserved confidence. Having a high notion of the prerogative they think a favour from the crown an additional reason for hold-
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ing a man in esteem. Their idea of liberty is extremely circumscribed: if they are indulged with liberty of conscience, or with presbytery and the covenant, they are abundantly satisfied; if no encroachment is made upon their imaginary property in the other world, they will allow you to be very free with their temporal concerns; and it is certain, that one may live for years in Scotland without hearing the word *liberty* pronounced by the populace. The tameness, with which they bore the unjust condemnation of Mungo Campbell, an act contrary to natural equity, which justifies self-defence, and the killing of a robber, is a clear proof how very ignorant they are in this respect; and how easy it is for the aristocracy, which is entirely dependent on the court, to bend them to the will of the crown. These considerations, together with their aversion to Wilkes, on account of the aspersions, which he is supposed to have cast upon them, sufficiently explain their backwardness in joining the English in the constitutional cause, which is now agitated. They do not consider how mean it is in them, to make the ruin of an individual a national concern; especially the ruin of an individual, who has on other occasions done them justice by acknowledging their virtues.

These addresses, most of which are fabricated in London, and sent down to be properly signed and authenticated by the respective boroughs, brought sufficient disgrace upon the whole scheme; but the address, which came from Flint in Wales, brought it to the lowest state of contempt and derision. Being execrably penned, and presented to the prince of Wales, a mere child, by a self-constituted baronet, who was ruined by every species of infamy, it smelted too strong even for majesty. The court sickened at the thoughts of more addresses; since they could only be procured from the vilest of the people.

Yet still no answer was given to the petitions; the king remained inflexible to the intreaties of the majority of the nation, and seemed determined to stand

or fall by his ministry: a resolution, which produced various addresses to him from the press.

That it is the right, said a popular writer, of individuals as well as of the collective body of the people to address the sovereign is not less clear from the eternal laws of nature than from the positive laws of the realm. The power of our kings, like of that of any other magistrates, is derived from the people; and I know no reason why they are complimented with the title of majesty, but because they represent the majesty of the people. No one will deny, that the meanest individual has a right, and is even in duty bound to advise the people, when he thinks the situation of their affairs demands his counsel. It must therefore be not only his right, but his duty to advise the sovereign, who represents them, and, who has it often in his power to put any good advice into speedy and effectual execution. This is no novel, no new-fangled doctrine. For what is the House of Commons but a body of counsellors deputed by the nation to advise with the prince about the proper administration of public affairs? Whatever power the people have a right to delegate, they must certainly have themselves a right to exercise. Hence, I think, little apology is necessary for addressing the sovereign. I have seen many letters directed to the people without any apology. Are not they as respectable as any king? I do not wish to draw breath in this island, when it shall be dangerous to advance such an opinion. Let me then boldly approach the throne, and speak with the courage of a freeman and a Briton. Government, sir, seems to have been instituted chiefly for these three great ends, for the preservation of the people's lives, for the security of their property, and for the due administration of justice. As long as the magistrates, whether they go under the name of emperors, kings, consuls, or stadtholders, answer these purposes, they are entitled not only to the chearful obedience, but to the grateful acknowledgments of the

the people. But, whenever they fail in these essential points; and after repeated admonitions and remonstrances continue in their errors, a dissolution of government ensues. For protection and allegiance are reciprocal duties: the one should never exist without the other. As without the latter a subject cannot expect to enjoy his lands, so without the former a king cannot hope to wear his crown. As soon as he counteracts the ends of his institution, and, instead of being their defender, their preserver and judge, becomes their destroyer, tyrant and oppressor, he forfeits the character of a king, and sinks to a private individual. When he breaks through the pale of the law, every man has a right to hunt him out of society; like a wild beast that has broke loose from his cage; and it shall happen to him as to Cain, that every one that findeth him shall slay him. Far be it for me to insinuate, and God forbid it should be thought, that your majesty stands in this predicament. I know you must be sensible that the law is above you, your family was upon this condition raised to the throne, and it is the tenure by which you hold your crown. Whence is it then, that the lives of the people have been wantonly sacrificed, their properties unconstitutionally invaded, and the laws scandalously perverted by the government? To whom shall we attribute the murders of late committed, the unprecedented manner of making up the deficiencies of the civil list, the stopping of the course of justice in the exchequer, and the imprisonment of Bingley? The voice of the whole nation, and the many petitions presented and to be presented to your majesty, declare your ministers to be the original authors; yet do they not still enjoy your confidence, and engross your ear? What cause can we assign for this strange conduct? Is it that the voice of the people expires and dies away at the gates of the palace? Partial and unfaithful representations of their sentiments are certainly made to your majesty. Indeed, how can it be otherwise? When was it ever

known that a criminal did not soften the evidence against himself? But a just and conscientious judge will be cautious in giving credit to his allegations. It is in vain that your servants endeavour to hoodwink your eyes, and to persuade you that their measures are not obnoxious to the majority of the nation. The greatest and best part of your subjects have either already remonstrated, or are on the point of remonstrating against their pernicious designs. The flame of patriotism is catching: the rest will soon feel its warmth, and kindle in the general blaze. One must shut his eyes not to see this; for it is no mystery how the addresses were procured. The names, the numbers of the subscribers, served all to expose the intrigues of the ministry, and the contempt into which their cause is fallen. Some places have disavowed these surreptitious addresses; and all execrate the memory of those who promoted them. The unfortunate voyage of the merchant adventurers to your palace, is a sufficient proof how odious they are to the people. You have in all probability seen the last of them; for the very fabricators begin to be ashamed, and in all public places to hide their diminished heads. But petitions and remonstrances are likely to encrease and multiply; they start up, like the Lernean Hydra's heads: no sooner is one presented, but two more are found to be on their way to court. Scotland itself, notwithstanding its aversion to Wilkes, and its inattention to any thing but religious liberty, begins to see through the mist, which its slavish representatives have, through ministerial direction, spread before its eyes, and is thought to be on the eve of petitioning. All the petitions aim at the same objects, at the removal of the present ministry, and the dissolution of the parliament. Some of them indeed do not expressly name the latter circumstance; but it is tacitly understood. For what other remedy to the evils complained of is lodged in your majesty's hands? If this step be not speedily taken, they will by reiterated petitions

petitions soon demonstrate that this was their meaning. It would be no mark of imprudence to understand them in this sense, and by compliance with their desires to prevent the encrease of those heart-burnings and jealousies, which are already so widely diffused. It is no easy matter to govern a nation against its own consent in any country; much less in this, where a king, or ministry, who have not the affections of the people, are nothing at all. That your ministers are thus situated, let the petitions, let the treatment they have received in their progress through the country declare. Where they expected marks of respect, and shouts of applause, they have found it difficult to escape with their lives. Ought he, whom we are taught to call the father of his people, to desire any other reason for banishing them from his presence for ever? Or can he expect a better plea for the dissolution of parliament, than the peoples declaring that they can place no farther confidence in it? It is not my design to write a libel. An evil administration is the worst of libels. It alienates the affections of the subjects, and sows the seeds of tumults, insurrections, and rebellions. The first have already disturbed the quiet of your dominions, and even of your palace. The other two will, I fear, tread fast on their heels, and shake the throne, if the nation cannot obtain these two points of your majesty. The evil counsellors, who at present surround you, and endeavour to persuade you, that the generality of the nation approves of their measures, and that only a few discontented levellers have raised the present combustion, are the descendants of those, who instilled the same dangerous poison into the ears of the Stuarts, and precipitated that weak, that bigoted, and infatuated family into ruin. They have not degenerated from their ancestors: they profess their slavish principles: they practice their arbitrary lessons. Strangers to the civil equality of the laws, they would lick the dust off the sovereign's shoes, in order to see the rest

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of the people prostrate at their feet. They care not how much they are debased in the drawing-room, provided they can have their revenge by trampling on the necks of their fellow-citizens. Such reptiles there will be in all countries; but how dangerous is it for the sovereign of a free country to listen to their counsel! They are his most formidable enemies. They would have persuaded Charles the second, that it was better to be the viceroy of the *great king* Lewis the XVth, than to be controuled by the laws of his own realm. Their advice had like to have cost him his crown; he was almost obliged to set out once more upon his travels. The ministry may perhaps imagine, that they can effect a breach between the army and the people, and thus establish their own power and security. But, notwithstanding all their efforts to bias the military gentlemen to their side, I believe they will find it difficult to succeed. The Spanish guards, slaves as they are, would not fire on their own countrymen, when they were engaged in a national cause. Will Englishmen be less generous? Never believe it. Even the third regiment would have been more cautious, were it not for the unfortunate animosities, which the intemperate zeal of some political writers, had excited between the two nations. Nothing can shew the villainy of the ministers in more glaring colours than that they employed them in such a service at such a juncture. But, were the soldiery to be as obsequious as they could desire, it would avail but little. The militia, which, with the trained bands, is twice as numerous, and would soon be as formidable in point of discipline as they are already for valour, could not be gained over. What then would it signify to debauch the army from the interests of the people? Such a step would have no other effect but that of throwing every thing into confusion, and bringing to certain ruin, them, and every one that espouses their cause. America would certainly unite as one man against them:

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Ireland would not be backward in joining the sons of liberty, and, if Scotland could not be drawn into the general vortex, what could it do against such a mighty force? Your ministers are too odious and contemptible to be supported by men of character in any country; and those of a different stamp will desert them in the hour of danger. Who, that has any honour or property to lose, would countenance those, whose infamy becomes every day more and more notorious. Scarce an hour passes without bringing to light some new crime, or misdemeanour, of which they have been guilty. No sooner is one of them convicted by his own letter of encouraging the massacre of your innocent subjects, but another is found to prostitute your royal name in thanks to the perpetrators of the foul deed. This minister is fined for invading the liberty of the press, and breaking the laws of his country: that is detected in robbing the exchequer to refund him the money, and punish the people for *his* crime. A paymaster secretes in his private hands unaccounted millions of public money: a treasurer screens him by issuing illegal warrants. The same treasurer, and your prime minister, prosecutes a foolish and weak man for corruption, and is in the very midst of this act of public justice found guilty of the crime, which he arraigns, and proved to be, what the world knew before, the most corrupt of mortals. What can be added to this picture, which is sketched by the hand of truth? Your ministers, to fill the highest measure of iniquity, want nothing but to have their arm red with murder, and without the intervention of inferior agents to be drenched in the blood of the people. This is the point at which they aim; for it is necessary to the security of their crimes. Their heads depend upon the doubtful issue of a civil war. To save themselves, they must risk the stability of your throne. I fear they will prove too successful in their dark and treasonable scheme. If the desires of the people be not soon gratified by the dissolution of the

parliament, and the dismissal of the present ministry, they will be driven to despair and madness. Seeing their liberties and properties endangered by the corruption and treachery of those to whom their authority is delegated, they will be apt to exercise what God and Nature have given them, the right of punishing unfaithful servants, and substituting others in their place. What will become of your majesty in this dreadful shock? I tremble to think of the consequences, when the people is ranged on one side, and your ministry on the other. It is not every one that will distinguish between master and servant in such encounters. Kings, to be sure, are privileged, and may do many deeds unpunished, which would bring certain destruction on the heads of ordinary mortals. Were I entrusted with the affairs of a society, and were I to manage them by the hands of thieves, robbers and murderers, I should be considered as little better than my agents. But kings can do no wrong. That is the maxim by which their actions are to be tried. It would be a very good one, at least very convenient for backsliding monarchs, did not the generality of mankind find it too hard of digestion, and think the mention of it an affront upon their understanding, which can allow it no more applicable to a temporal than to a spiritual prince. The infallibility of the pope has been long exploded in this island. The minds of men are of a very encroaching nature: no sooner have they overturned the main pillar of priestcraft, but they endeavour to unhinge the corner stone of kingcraft. By some fatality, (it is with grief I relate it!) the people of this land have very little faith in the infallibility of kings. But, though they do not absolutely deify them, yet have they no little reverence for the name; and it is a sure sign that a prince has lost the brightest jewel in his crown, the affections of his people, when papers freely canvassing his conduct are bought with avidity, and read with pleasure. The very sound of majesty covers a multitude
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of sins. When that veil begins once to be penetrated by the profane eyes of the vulgar, it is time to veer about the helm, and to steer a new course: the character of the prince becomes as little sacred as the mysteries of state. Writers will, like sir Matthew Hales in Charles's days, expose with as much freedom as impunity the nakedness of the sovereign, and receive the thanks and applauses of the approving nation. Hence a king of England is the most inexcusable of men, if he remains long unpopular; because, in spite of all the arts used by the sycophants of power, the voice of the nation soon becomes clear and strong, and drowns the noisy clamours of an interested faction; and a king, who does not listen to its persuasions, and thus regain the people's confidence, is unworthy of his crown. Indeed he is, in the eye of reason, fallen from his regal dignity; as the majority, from whom alone he can derive legal authority, pronounce in their hearts the sentence of his deposition. It is in vain, that he pretends to consult their interest by opposing their inclinations, and substituting his own will for their express and declared opinion. In the multitude of counsellors is wisdom and safety. The danger of such a step can be equalled only by its presumption. For what can be a greater solecism in politics, what a greater mockery of common sense, than to make the decrees of millions reversible by the caprice of a single man? A theocracy alone can warrant such a controlling power over the people. But why do I urge this point? Surely none but your majesty's and the kingdom's enemies, to whom you will not listen, can advise you to set your face against your people, by refusing to dissolve the parliament. Neither your majesty, nor your counsellors can be ignorant, that you are more ministerial than magisterial, in convoking and dissolving these assemblies. The kings of England, indeed, by being the chief magistrates, or first servants of the people, have the best opportunity of knowing the state
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of their affairs. They have, therefore, from time immemorial been accustomed to call together the representatives of the nation, in order to receive their advice and direction in every momentous concern; and to dissolve or allow them to return to their constituents, when there was no farther occasion for their service. From long use they are supposed to have acquired a kind of prescriptive right to the exercise of this power; and, though sanctified by no positive law or constitution, it is apprehended to be an unalienable part of the prerogative. But it is well worth your observation that no single atom of the prerogative is necessarily entailed on the crown. The whole power known under that name was either granted or tolerated by the people for their own good. Therefore, when any part of it no longer answers that end, they have a right to resume it into their own hands. They have often stripped their sovereigns of the whole, much more may they strip them of a part. Will it then be improper for you to consider, whether the people may not by an obstinate refusal of this point be tempted to retrench the prerogative. Unreasonable opposition to their just demands has been frequently attended with such consequences. The more tenacious the crown has been of any obnoxious power, the more it has suffered. The people have seldom stopt short upon gaining the original object of the quarrel: they have sometimes proceeded so far in their reformation as to leave the crown naked and defenceless. Who knows but they may on this occasion assume the privilege of recalling their members, whenever they are displeased with their conduct? Now, that parliaments are septennial, which is nearly the same as if they were perpetual, this step is as necessary as it seems legal and constitutional. Though there is a law, which says, that parliaments shall sit seven years, there is none, which ordains, that the same member shall represent this or that place for the same space of time. All members being deputies, or
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commissioners, their constituents have a right to annul their commissions whenever they please, and to appoint others in their stead. The constitution cannot surely have placed the public in general upon a worse footing in this respect than private individuals. In my domestic œconomy I am authorised by natural and positive law to discharge an unworthy servant. Who will have the effrontery to assert that the nation is not entitled to a like right? It has, I own, been little exercised; and the reason is, that parliaments being originally temporary, and of very short duration, there was no occasion, or indeed possibility, of putting it in practice. But, as no custom, no prescription, can justify illegal acts, as we may learn from the fate of general warrants, so no disuse can annul the natural charter, the birthright of a nation. The claim of the English to recall parliamentary deputies is as valid as if every page of the journals of the lower house bore witness to its continual exercise. Whether they will chuse to revive this long dormant claim at the present juncture cannot be very problematical, if your majesty does not prevent it by the dissolution of the parliament. Since they have once adopted the mode of petitioning, they will wait to see what redress it will procure them. Should they be disappointed, they must strike into this path, which I have pointed out. Had they done it at first, they would have perhaps discovered more reverence for the constitution, and displayed more wisdom than is observable in their present conduct. The want of this, or of some other such necessary check upon the conduct of their representatives, is the source of all the present ferment. The people have long known the imperfections of the constitution: they now feel them. By what power shall they be hindered to rectify them? They have solicited your majesty's concurrence. The dissolution of parliament, and the election of new members, in whom they can confide, are judged to be the first necessary steps towards the execution of this salutary plan.

plan. Has your majesty no ambition to become a Solon or a Lycurgus? How much more glorious is it to prop a falling state than to undermine the chief buttress, on which it leans! What a difference between the man who reared the glorious temple of Diana, and the wretch who burnt it to the ground! Is not Alfred the most renowned of English monarchs? But is not the memory of Charles accursed? Does not his name blister every tongue, by which it is uttered? Will you then, who would be called a patriot king, not copy Alfred's example, and contribute to make them *as free as their own thoughts*? If glory will not move you, be moved by the danger. May not the people, if driven to extremities, tread in the steps of the ancient Romans? Did not the tyrannical encroachments of the Consuls and Patricians oblige the Plebeians to deprive them of almost all power? Were not the Carthaginians forced upon the same expedient? The corruption and malversation of the nobles left them no other choice. May not the same causes produce similar effects in this island? The liberty of the press has enlarged the minds of men, and dispelled those mists of ignorance, which clouded them in the last civil wars. Men have forgot much of that blind attachment to kings, which distinguished the last century. The name has lost its charms; and they are not thought essential to every form of government. It is observable, that in small states or cities, the regal dignity never flourishes; because its pageantry and defects are familiar to every eye. What familiarity effects in small societies, the progress of knowledge and good sense accomplishes in the great. It is the part of a wise prince to attend to this change in mens opinion. The want of sufficient sagacity to discern the operation of such a principle, proved the ruin of the Stuart family. It is to be hoped, that all future princes will take warning by their example, and avoid the same rock. The road lies plain and easy before them: they have only to accommodate them-

themselves to the inclinations of the people, who are always best acquainted with their own interest, and will not allow others to judge for them, where their sentiments are clearly and distinctly expressed. It is the ministerial cry indeed, that the voice of the nation can only be known from its representatives in parliament, and that you can listen to no other, if you would preserve the constitution inviolate. The members of the lower house are, it is said, the mouth of the people, and express their sentiments; their interests being the same as that of their constituents. What then can be more absurd than to imagine, that they should invade their liberty or property? Suppose the parliament dissolved, what would ensue? During the present ferment of mens minds, when turbulence and faction have exceeded all former examples, nothing would be seen through the land but corruption, licentiousness, and disorder. The majority, who would be exasperated at a dissolution, would return to their respective constituents, and in moving heaven and earth to gain their election, would augment the ill-humour, which is already too prevalent. Besides, were your majesty ever so much disposed to gratify the clamours of an insolent faction, you have it not in your power. An act of the whole legislature has rendered parliaments septennial: till that period is expired, the prerogative of dissolving them cannot take place. A single branch of the legislature cannot repeal an act, to which the three have given their sanction. Such is the language of courtiers! Such are the only arguments, which they can advance! if they are just and conclusive, you cannot comply with the desires of your people from a regard to their morals and from a reverence for the constitution. But it is the misfortune of courtiers to be but shallow reasoners. They know much better how to deceive their friend, or betray their sovereign, than to form a just syllogism, or draw a logical conclusion. They are so much accustomed to impose upon others, that they at last im-

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pose, through habit, upon themselves; like the miser in the play, whose right hand steals from his left. In a cause, which they have much at heart, their wishes become arguments, and they swallow them as fast as Saturn did his own children. Versed as your majesty is in history, you must have heard of the Scythians. Having once invaded Asia, they carried on the war so long and in such distant regions, that their slaves imagining them all cut off by the enemies, made a property of their wives and cattle; and upon their return, were impudent enough to refuse to restore them to their masters. In what does the majority differ from these Scythian slaves. Like them they were too long entrusted with the care of the people's rights and properties. The most essential of the former they have most daringly seized, and as daringly maintained as their own. Whether they have touched the latter, I leave to the determination of the incorrupt duke of Grafton, and the immaculate lord North. The nation has its suspicions, and will retain them, till they efface them by impeaching and bringing to justice the commissioners, who issued out treasury warrants for paying out of the public money, fines imposed upon your ministers for breaking the laws of the realm. Matters being thus situated, what can be more preposterous than to affirm, that the voice of the nation is expressed by the majority of their representatives? It would have been as rational to suppose, that in the year 1720, the sentiments of all the proprietors of South-sea stock were included in those of their directors, against whom they loudly demanded justice for speculation. The members of the lower house are confessedly servants; and nothing is more common for servants than to cheat their masters, and to set up an independent interest; if they are not strictly watched, and confined to their proper sphere. The House of Commons has done this once already in a notorious manner: it overturned liberty as well as the monarchy.

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It has often been servile, temporising, and corrupt. Could any thing be more vile and abject than its conduct under Henry the eighth? It domineered over the people, and crouched to the sovereign. Tyranny and slavery were its distinguishing characteristics. What has been may be again: the people may be oppressed under the sanction of a parliament. The same end is to be gained by different means. The iron rod of despotism does not make a senate more obsequious than the gilded hand of corruption. A Walpole may be as dangerous to liberty as a Wolsey. The people are not insensible of the truths. Knowing that, if the constitution is ever destroyed by domestic encroachments, it must be done with the consent of their representatives, they attend with the utmost vigilance to their conduct, and finding it inconsistent with the duty which they owe to their country, they have applied to your majesty for redress. Your majesty, surrounded by evil counsellors, is told, that their complaints are groundless; and that, when they impeach the lower house, it is themselves they impeach. But what can be more absurd than this reasoning? Has not the capital, which contains one-sixth of the people, protested against their measures? Have not the great cities and opulent corporations followed its example? Are not the most independent, the most respectable counties in motion? And are not the rest on the eve of being carried along by the general current? Compute the land-tax payed by the petitioning counties; and you will find it greatly superior to what is payed by all the rest of the island. Does not this circumstance prove, that they contain the majority of the people? The most hardy veteran in defending ministerial measures will not have the face to deny it. Is not your majesty then bound in justice and honour to grant their request? It is idle to pretend, that your majesty cannot dissolve the parliament. The septennial act gives you a positive right to the exercise of this prerogative. It is no less absurd to insinuate, that

such a step would only encrease and exasperate the murmurs and jealousies which now prevail. The argument, if it proves any thing, proves too much: it proves that parliaments ought to be perpetual; as a dissolution will become more and more dangerous, the longer it is delayed, since in all human probability the ferment will rise instead of subsiding. Now or never is the time for complying with the earnest entreaties of the people. For who knows but the parliament may vote itself perpetual? It has the same right to pass a perpetual, as a septennial act; and the same cause may be alledged, the danger of the times. The ministers are eager for this measure; and who does not know their omnipotence? What resource then is left to your injured people? Should they resolve upon recalling their members, there is reason to fear, that their resolution would have no effect. Were your majesty to start no objection, the majority would not be so obsequious. Having already disregarded the instructions of their constituents they would despise their summons. Thus abandoned by their own creatures, what course must they take, if you do not vouchsafe immediate redress? Shall they appeal to heaven? In order to prevent so dreadful a catastrophe, your majesty, moved by all these considerations, will listen to the earnest entreaties of your people, by dismissing your present ministry and dissolving *your* parliament; for *theirs* it can no longer with propriety be called. Thus, as at the beginning of your reign, you will once more issue forth from your palace with the shouts and acclamations of your subjects; and, like the sun in his meridian splendor, warm, cheer, and invigorate all around you."

These and many other arguments, which were urged with equal freedom and strength of reasoning, had no effect: the king resolved to adhere to the House of Commons, and neglect the petitions. The meeting of parliament therefore was expected with the utmost impatience: but it was postponed till the beginning

ginning of the new year; that the ministry might have full leisure during the course of the winter to feel the pulse of their creatures, and to prepare them for supporting those measures, which were already projected.

However much the ministers had exasperated the nation with their domestic encroachments, they were not satisfied: they resolved to stretch out the arm of despotism to the East India company, which was once more become the object of public consideration. Hyder Ali, or Naig, an adventurer, who from a private Seapoy in the European armies had, by daring treachery and one of those surprising revolutions so frequent in India, become sovereign of a very extensive country on the Malabar coast, formed the project of extirpating the English from these parts. Being master of territories five hundred miles square, and an adept in the European art of war, he had acquired so much power and authority that he terrified or inveigled into his measures the Nizam of the Decan, who can bring into the field fifty thousand foot, and thirty thousand horse. Both of them advanced at the head of a large army; but, notwithstanding the boasted discipline introduced by Hyder and by the French renegadoes in his service, the English, under the auspices of colonel Smith, totally defeated the conjoined forces in the neighbourhood of Trinomallee, and with very little loss took their artillery and many other trophies of a complete victory. Terrified by this disaster the Nizam, as soon as he could escape the hands of Hyder, of whom he was justly apprehensive, concluded with the company a peace, by which he guaranteed to them the revenues of the Balagat Carnatic; a country including the territories of Hyder, and some other petty princes. Not long after these transactions Mangalore, one of his principal seaports, was taken with most of his ships. But having transferred the seat of war into a mountainous tract, which is at a vast distance from our

settlements, he gained several advantages by intercepting supplies, cutting off parties, and interrupting their communication; and as he abounded in cavalry and stratagems, no decisive advantage could be gained over him by the superior strength, skill, and bravery of his antagonists. He avoided general engagements, and carried on the war, like a robber. This conduct exposed the company to much expence, and promised little profit or honour. The contractors and agents supplied the army with such scanty and bad provisions, that it gradually mouldered away; and afforded Hyder an opportunity of growing so formidable both in India and Leadenhall-street, that a general court of proprietors resolved to send over supervisors with unlimited powers to rectify abuses; particularly those affecting the revenue, which was notoriously mismanaged in all their settlements.

The majority, however, which carried this measure, was very inconsiderable, the arguments urged against it being very weighty. "This commission, said the opposition, seems illegal and inexpedient. It is illegal, because the company has no authority to grant such unlimited power to any of its servants. The presidents and councils of your settlements in India are the highest authority that you can establish in that quarter of the world; for they derive their power not only from you, but likewise from the legislature, which has enacted laws specifying their number and the extent of their jurisdiction. Since then they are established by statute, can you annul them by granting to three men a power paramount to them all? By no means. All, that you can do, is to divest them of their office, and appoint others equal in number in their room. To these you can delegate all the power, of which you are yourselves legally possessed, and no more. As an act of parliament was found requisite for the establishment of your four presidencies, an act of the same authority is absolutely necessary for annihilating them; or, what is the same, for appointing supervisors,

supervisors, who are to suspend their authority, whenever they judge it expedient. Some ministers may, no doubt, think that the dangerous situation of our affairs in America requires the hand of supervisors to restore them to their usual tranquillity. Yet, where is the man, that dares advise his majesty to send to any of our colonies two or three dictators to supersede governor and council? Not to speak of the rights of the colonies, such a step would be an evident encroachment on the rights of the two other branches of the legislature. What then shall we say of this commission, which tramples under foot the authority of all the three, of the king, the lords and commons. It has indeed the sanction of three lawyers of great note. But, what is authority against reason? Lawyers are not infallible any more than the pope. A person of sense will not allow another to dictate his faith: yet this is what the supporters of the commission do. We their opponents, like the first protestants, found our opinion on reason and scripture: but they, like good Catholics, cry out, "What does that avail you? Have not we the fathers on our side?" But the commission is not only illegal in the strict sense of the word, as being contrary to the express tenour and purport of statutes: it is also illegal in a large and extensive sense, as being opposite to the genius and spirit of our constitution. In this island absolute power is lodged in the hands of no individual. In our colonies, the wisdom of the legislature has thought proper to follow the same maxim. Limited governments are established in them all. Will they allow you to pursue a different course, and to introduce into your settlements a system of slavery? Never believe it. They are too sagacious, not to foresee, that this institution will produce a gradual revolution in the manners of our people at home. The principles of slavery imbibed by the adventurers in India, would soon be transplanted into this kingdom, and, after having infected the whole body of the inhabitants

tants, would prepare their necks for the yoke of despotism. And, should they deem this apprehension groundless and chimerical, yet could they not be so regardless of the rights of humanity, as to allow such a populous part of the globe to groan under tyrants. They will certainly let them taste the sweets of liberty, as the most effectual means of attaching them to the interest of Great Britain, which will we hope, take warning by the misfortunes of the Dutch, and never think of establishing a system of tyranny in Asia. The decline of the Dutch and French trade in that quarter, is very much owing to this false policy. For it is a vulgar error to imagine, that no other sort of government will flourish in those climes. Even history might be quoted to prove the reverse. Human beings, in whatever part of the globe they are found, will always prefer law and justice to violence and oppression; and trade will ever thrive best, where the former reign. But, were the commission ever so legal, still it ought to be set aside; because it is inexpedient. Human nature is frail; it cannot safely be trusted with unlimited power: for the histories of all nations convince us, that it has been almost always abused by the possessors. It is idle to go far back into the annals of mankind for illustration. We need not ransack the records of ancient Greece or Rome, for tyrants, decemvirs and dictators. The transactions of our own company will furnish us with an example, which will come home to every man's breast. Lord Clive was not long ago sent over to India, with similar powers; on condition, that his jaghire should be secured to him for ten years, and that he should have an annual salary of six thousand pounds. He engaged not to trade in any shape, nor to receive any other emolument whatever from his office. Yet, no sooner did he set foot in Bengal, but he and his associates monopolized the trade in beet-nut, salt, and tobacco, which in their instructions they were expressly ordered by the company to restore

to the natives; as it had been found a principal source of the disorders which prevailed in that country. The noble lord had five shares, the value of each amounting to three or four thousand pounds a year. His friends enjoyed the rest. Thus were the grievances of the natives redressed! What reason have you to imagine, that other men will behave with more reserve and moderation, when you see such a generous mind debauched by excess of power? One of the principal reasons alledged for the appointment of supervisors is, that they may regulate the collection of the revenues, in which there are at present such enormous abuses, that a single black collector is allowed an annual salary of a hundred and fifty thousand pounds. Mr. Scrafton declares under his hand, that none are fit for collectors but blacks; because, it is proper, that the odium of oppression should fall upon the natives rather than upon the English, never considering, that the grand object of their mission is to extirpate all oppression. Mr. Vansittart, the other chief superior, asserts, in public and in private, that whites are the only persons that ought to be employed. What good can be expected from men who differ so widely in such an essential point? One embraces the white, the other the black side of the argument, without ever being able to hit on the medium of reconciliation, except they should by good luck find enough of mulattoes for their purpose, or compromise matters by sharing between them the hundred and fifty thousand pounds now enjoyed by the collector Mahomet. We would, for the good of the company, recommend this method to them preferably to the monopoly engrossed by their worthy predecessor in power, lord Clive. We forbear to mention many other sources of division, which might here be enumerated. The gentlemen have themselves relieved us from that necessity. They are to be seen in their printed charges against each other; and have found their way even into the daily news papers; so that every proprietor

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must be acquainted with them. The supervisors are to have the power of superseding any officer, civil or military, with whom they chuse to be displeased. It is surprizing, that the proprietors do not remember what heart-burnings and animosities arose during the despotism of the noble lord, of whom we have had occasion already to make such honourable mention. You cannot be ignorant, that much of the confusion and misunderstanding, which now reign in your settlements, had this cause for their origin. Why then send out superiors with similar powers? Is it in order to multiply and perpetuate abuses? Every reasonable person must see the affair in that light. The supervisors have predilections: they have friends to provide for, and passions to gratify. He must know very little of mankind, who thinks otherwise; or imagines, that they will not employ the plenitude of their power to make room for their favourites, if chance does not furnish vacancies adequate to their expectations. What man of spirit, what man of honour, can endure such iniquitous preference? If you want to have faithful, diligent, spirited servants, treat them as men, not like slaves. If you do not act thus, you will repent it. Every officer of ability, who always breathes an independent spirit, will desert your service; and none will remain, but the mean, the vile, the cowardly, who are ever the most expensive, who will receive your pay, but neglect, or not dare to do your business. A man of any soul, would chuse rather to live on bread and water on British independence, than to feast on all the luxuries of the East, in such debasing servitude: like Cassius, he had rather not be, than tremble at a thing like himself. Hundreds of your officers are undoubtedly in this predicament. Why then will you be so blind to your own interest, so regardless of the spirit of our constitution, and the rights of humanity? Abolish the commission, that no military officer may be deprived of his command, till he is adjudged guilty by a court-martial,

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nor any civil officer suspended, till he is condemned by his peers. But, if no other argument will move you, it is to be hoped, that you will be moved by the consideration of the expence. Each superior is to have a salary of ten thousand pounds a year, and the expence of their tables, which we are to defray, cannot be less than a thousand pounds a month for each. These sums added together, will amount to sixty-six thousand pounds a year; a sum, which by calculation, you will find equal to six month's pay of all our troops on the coast of Coromandel. If any one should alledge, that the principal expence of troops consists of extraordinaries, not of pay; the same may be justly asserted of supervisors; otherwise the expences of the select committee could not have amounted to four or five hundred thousand pounds; besides what the company lost through the illicit practices of the commissioners. It does not appear that your affairs have suffered for want of power lodged in the hands of the servants, that you have already in India. The principal cause of complaint is, that they either have, or have assumed, too much power. The case of Bolts, not to speak of others, is an evident proof of this truth; for, though the chairman has been pleased to say, that he was an unprofitable servant, and that his opponents, though wrong in form, were right in substance, he had been able to produce no fact, no argument in support of his affirmation. Whereas the memorial of Bolts, which remains hitherto unshaken, nay, uncontradicted, demonstrates, that he was a very profitable servant, and, that the very fountains of justice are corrupted; a thing which every one but the honourable gentleman must allow to be very substantial. We have as good an opinion of the gentlemen appointed for this service as any persons: but yet we fear that their appointment will only multiply their corruptions. It was prophesied that this would be the consequence of the last commission. Fact has verified the prediction. Why may not we be as bold

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on this occasion? What will then follow? We shall be obliged to send out a third commission to rectify the abuses of the present, and so on without end; till we are, like the Dutch East India company, obliged to vest one man with absolute power: a plan, by which a few overgrown individuals will be enabled to swallow up the property of the assembly, and to become, like the Roman dictators, the masters of the company. It should be always our aim to prevent any enormous inequality in the property of our members: for power always follows property; and you must remember what authority this circumstance gave a few years ago to Clive and his friends. What is the result of the whole? Repeal the commission: retrench, rather than encrease the power of your governors; and punish their malversation with as much rigour as you would that of the meanest delinquent. Your affairs will thus come soon back into their natural channels, and relieve you from the necessity of creating such Solons, Minoses, and Lycurgues."

No arguments, however, had any effect: the leading men seizing this opportunity of providing for their friends, relations, and dependents, secured a majority in favour of the supervisors, by representing to the proprietors the embroiled state of their affairs, and the absolute necessity of investing some persons of weight and authority, with power to redress every grievance. In order to give them a proper eclat, two ships of the line, and two frigates were requested of government, that Hyder Ali might be attacked by sea, and the company's possessions be put in a posture of defence against the secret machinations and open attempts of the French, who were known to have four thousand troops in the island of Mauritius; a station which enabled them greatly to distress their trade. The ministers availing themselves of their distress, desired, first to know what share in the deliberations of war and peace they would grant to the officer appointed by the sovereign. The proprietors were alarmed at this ques-
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tion. They saw that the ministry wanted gradually to encroach upon their rights, and to get into their own hands the disposal of all places of profit and trust: that a crown officer, equal in power to any of the supervisors, would ruin their interest, as the Indians would never treat with him, but in order to depress them: that the interference of government in the concerns of a trading company, has always produced its destruction; and that the scheme was no less dangerous to the liberty of the realm, than to the interest of their body. Accordingly no power at all was granted to the person that should be nominated. Disgusted with this repulse, and little solicitous for the welfare of the nation, the ministry refused ships of the line. Satisfied, if, by their tameness they could purchase the forbearance of the French, they only commissioned sir John Lindsey to sail to the gulph of Persia with two frigates; a force more proper for waking the jealousy than checking the ambition of the enemy.

(1770) Such were the principal transactions of the summer. The parliament at length met about the middle of January, and it was harangued by the sovereign in person, who, instead of proposing any remedy to the grievances of the nation, passed them over in profound silence, and entertained them with the prudent measures, which had been taken to prevent the diffusion of the distemper among the horned cattle; the existence of which is yet problematical. However much it might have been the design of the minister, to divert by this artifice the attention of the parliament from the petitions and the complaints of the people, he did not succeed; the affair was copiously handled in both houses; and the *majority* was openly charged with having *betrayed* the rights of the people. But so low was their power and courage fallen, that they durst not venture upon punishing their accusers. It is not, that their numbers were not sufficiently great, and their inclinations good. They would have willingly been revenged; but they dreaded the people, who
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would not have tamely suffered their champions, the first men in the kingdom, to be chastised for supporting the constitution.

After the horned cattle, the king's speech recommended to the parliament the conduct of the Americans, which was called highly *unwarrantable*. In order to understand this term, it will be necessary to trace the matter from its source. The laws passed in the year 1767, for laying duties on paper, glass, tea, and other commodities imported from Britain into the colonies, immediately alarmed the Americans, and produced resolutions similar to those, which had followed the stamp-act. Encouraged by their successful opposition on that occasion, they now entered into agreements for the encouragement of their own manufactures, and for preventing the importation of English goods. The assembly of Massachusetts bay sent to the other provinces a circular letter, proposing a common union in soliciting the repeal of the late acts, which they represented as unconstitutional, and subversive of their natural and positive rights; since British subjects can only be bound by the acts of their representatives. A letter written by Shelburne, one of the secretaries of state, and complaining bitterly of their conduct, increased the ill humour, which was already too prevalent, and enflamed that animosity which subsisted between governor Bernard and the assembly. The consequence was, that they were prorogued. When they met again, a letter of Hillsborough, the new secretary for the colonies, charged them to rescind the resolution, which gave birth to their circular letter, under pain of dissolution. This violent measure had no other effect but that of exasperating the whole colony against their governor, to whose misrepresentations it was principally attributed. Accordingly, the assembly was preparing a petition to the throne for his removal, when it was suddenly dissolved: a precipitate step, which promised no advantage;

tage; as the popularity of the members secured their re-election.

The circular letters sent by the secretary of state to the other colonies, proved equally ineffectual. The assemblies, or parliaments, as they would now be called, highly approved of the conduct of the Bostonians, and treated the secretary's letter with great freedom. The dissolution above-mentioned was hastened by a previous tumult. A sloop, which was accused of not having exactly conformed to the regulations of the new custom house, was seized by its officers, and secured by the assistance of the Romney man of war, which then happened to be in the harbour. The populace, enflamed by an act of hostility, founded on laws which they did not acknowledge, pelted the commissioners of the customs with stones, and treated them with so much outrage and indignity, that they were obliged to retreat, and resume the functions of their office at Castle William, a fortification on a small island in the harbour. Whether this violence was originally foreseen, or coercive measures were antecedently concerted, certain it is, that troops were ordered from Ireland, and other parts to support the governor, who had been very injudiciously continued in an office, for which his constant opposition to the desires of the people had rendered him very unfit. This intelligence occasioned an alarm, which could not be exceeded by a menace from the most dangerous and cruel enemy. They considered themselves as threatened with invasion and conquest. Accordingly the inhabitants assembled in Faneuil-hall, and finding that the governor would not at their request convene a general assembly, nor give them any satisfaction with regard to the troops, which were said to be coming, they drew up a long catalogue of their grievances, protested against keeping an army in the province, without their consent, and recommended the holding of a convention at Boston, for the consideration of the present state of their affairs. But the most extraordi-

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nary act of this meeting was, that under pretence of an approaching war with France, they desired the people to prepare arms, ammunition, and every other accoutrement necessary in cases of sudden danger: a day of public prayer and fasting being first appointed. Notwithstanding the hostile aspect of this transaction, the convention, which actually took place, did not venture to assume the authority of government, but separated, after having publicly advised the people to be obedient to the laws, and having in vain solicited the governor to convoke the assembly. On the very day of their separation the troops arrived, and, after some difficulty were allowed barrack provisions by the council, who refused them quarters in the town. Quarters, however, were procured, by contract with private persons; and a tolerable harmony subsisted between the soldiers and the inhabitants.

The measures of administration in these particulars, received the sanction of the British parliament, which advised his majesty, in pursuance of an obsolete statute of Henry the eighth, to issue a special commission for trying the principal authors of the disturbances in the province of Massachusetts within *this* realm; and to order governor Bernard to transmit the fullest information possible of the guilt and names of all those suspected of treason, or misprision of treason, within his jurisdiction.

This address, however, which was cordially received by the king, underwent much animadversion. "By the laws of England, said the opposition, a man is generally tried in the county where he commits the crime; that his general character may be the more exactly ascertained, and the particular circumstances of the charge more minutely examined: points absolutely necessary to the due administration of justice. If this method of proceeding be requisite within the realm, how much more must it be so with regard to America, which is at such an immense distance? How will even an innocent man be able to exculpate himself?

himself? No private fortune will be equal to the expence of bringing over evidences. The culprit must trust solely to the equity and mercy of a jury, which he and all America will consider as prejudiced, because it must be a party concerned; while his accusers are supported by government, and perhaps expect ample rewards for their service. Suppose him acquitted, who will reimburse his losses? Consider the injury which his business must sustain by a long absence; consider the charges of confinement, and the still accumulating expences of law; and you will see, that his ruin is inevitable. If he escapes the danger hanging over him, from the displeasure of power, he meets with worse than death, in the miseries of a ruined family. For undoubtedly, certain death is more eligible than a broken heart, which must be the consequence of the horrors of pinching poverty, of the tears of a despairing wife, and the hunger of helpless children. For these reasons, if the Americans are guilty, punish their guilt at home. If you suspect that their countrymen, animated by a general spirit of disaffection, will acquit them, however guilty, still try them at home. Your error will be on the side of mercy; and it will reflect honour on your proceedings. Your strict adherence to the principles of justice, and the spirit of the constitution, will operate more powerfully on the generosity of the Americans, than any acts of rigid severity, and will perhaps restore the alienated affections of that injured people."

As might naturally be expected, this measure enflamed the independent spirit of the colonists to the highest pitch. Their assemblies denied not only the sovereign's right of causing Americans to be tried beyond sea, but also the legislature's right of taxing them in any shape: proceedings which brought on their dissolution, and caused great inconveniences to that extensive continent. A new body of representatives, was indeed, convened at Boston; but, as it was actuated by the spirit of the preceding, no alter-

ation took place in the political system. Guns were, therefore, pointed at the door of the assembly-house, which the soldiery had been daring enough to profane, by converting it into barracks. The representatives, however, were not intimidated. Resolved not to relinquish the rights of their constituents, they would not proceed to business, till the governor, after refusing to remove the soldiery from the metropolis, adjourned the assembly to Harvard college in Cambridge—where it protested against various infringements of the people's rights.

They represented the use of the military power, to enforce the execution of the laws, as inconsistent with the spirit of a free constitution, and the very nature of government. For where, said they, is the necessity of their interposition? The body of the people will always assist the magistrate in the execution of such laws as ought to be executed. The very supposition of their aversion to the execution of a law, is a strong presumption, that it is an unjust, at least, an unsalutary law. Their law it cannot be, since by the nature of a free constitution it must have received their consent, before they are bound to obedience. We cannot but lament, that too many in power, both in America and Europe, avow not only in their private conversation, but in their public conduct, the most rancorous enmity to the *free part* of the British constitution; and are indefatigable in their endeavours to render the monarchy absolute, and the administration arbitrary in every part of the empire. It is with grief we see our petitions prevented from reaching the throne, by the false and malicious insinuations of our governor; and troops, in consequence, introduced to overawe the legislature; while after the strictest enquiry, we have not been able to find one instance of the violent obstruction of justice, except by an officer in the navy and customs. The duties imposed by such acts as are deemed by the whole continent highly unjust and oppressive, have been punctually payed by
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the people, though they labour under many other grievances, which might have tempted men of less temper to some outrage. What, for example, can be a greater breach of trust, or a more intolerable grievance, than that frequent entries of *Noli Prosequi* should be made by the crown lawyers, in cases favourable to liberty, and prosecutions by information and attachment carried on in support of power? What can be more dangerous and alarming than the late extension of the power of courts of admiralty. The judges of the common courts of law, who are the only check, cannot be trusted by the people, because they do not hold their places during good behaviour; and the ancient privilege of a trial by jury, is in all these cases annihilated. To encrease our burdens an unnecessary board of customs is established, which has an unlimited power of appointing officers, and granting them what salary they please; a regulation, which must unavoidably encrease the number of pensioners and placemen, the most dangerous enemies of liberty."

The consequence of the murmurs and discontents, which this pernicious taxation produced was, that our exports to America, fell in 1768 to 2,378,000, and in 1769 to 1,634,000 pounds. The value of the teas exported in the former of these years amounted only to 132,000, and in the latter to 44,000 pounds. Such was the state of a trade, which used to be worth four millions annually! What more needs be said to rouse up the nation to vengeance against those who planned, and still support so destructive a measure?

Lord North's administration, notwithstanding these circumstances, notwithstanding the injury done to the East India company, and to the American merchants, who solicited a total repeal, lord North, who was now become minister in the room of the fugitive Grafton, moved for the continuation of the tax upon tea. In support of this motion, he urged, that as they now totally denied the parliament's right of tax-

ation, it was necessary to preserve this part of the act as a vindication of its right; that this imposition could not be deemed oppressive, as in order to make room for it, a much heavier tax upon tea had been removed; that the difficulty and expence of procuring manufactures during the present ferment, would naturally cause in a short time the dissolution of all the associations, and restore the declining commerce of Britain; whereas a total repeal would encrease their insolence, and give birth to new and exorbitant claims.

“ This, said the opposition, is not the time to dispute the right of taxation, while the Americans are so highly enflamed, that they will submit to any inconvenience, rather than forego what they esteem their natural rights. Being not represented, they consider us as interested tyrants, and themselves as oppressed slaves. Nor are their combinations illegal or unwarrantable; for certainly any body of men may agree to purchase or not to purchase, as they please. As little are they trifling, or likely to suffer a speedy dissolution. Orders are now in the hands of our merchants to the amount of a million: but they are conditional; they are not to be executed, if a total repeal does not take place. Who, that is sincerely concerned for the interest of his country, can hesitate in embracing so beneficial, so conciliating a measure? It is in vain to urge, that the tax on the other articles being prejudicial to our trade, is to be repealed on commercial principles, and that for the contrary reason, the tax on tea ought to remain. The same arguments which evince the necessity of repealing the one, are equally conclusive for the repeal of the other. For, though tea be not a British manufacture, it is purchased by British manufactures and British labour; and the tax laid upon it throws a great deal of that trade into the hands of the Dutch and French, who will certainly run teas to America; as they will receive an advanced price of 25 per cent. by bringing them duty free. What can be a greater injury to the
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East India company, than this conduct? We agreed indeed to take off a duty of 25 per cent. in order to encourage them to sell it as low as the Dutch: but at the same time we laid on another, which, experience shews us, operated as a prohibition. What advantage can we propose to ourselves by this reservation? The vindication of our right of taxation? Did not the act declaratory of that right exist, there is another tax independent of the present, which proves its exercise. What then can be the aim of the minister, by this strange exception? The preservation of the board of customs, and all its train of officers. This establishment remains untouched by the present act: the expence therefore will not be lessened, and will fall chiefly on the British exchequer. In the proposed form, the taxes will not yield a clear revenue of 16,000 pounds: a sum too paltry to be put in competition with the affections of the least considerable of our colonies. Much less ought we to hazard the loss of the trade, and affections of all our colonies, for a tax which will not pay the collectors. Were it not clear from this deduction, that the intention of the minister is to introduce violence and corruption in all parts of our dominions, it would be evident from the little care that he takes to compose our domestic differences, at a time, when even he will not vouch for the pacific intentions of France and Spain. After he has done mischief every where throughout the empire, he has, instead of attending to national objects, amused himself, like Domitian, in catching and tormenting flies."

In spite of these arguments, the tax on tea was continued: a resolution, of which the consequences are easily foreseen. This series of impolitic, obnoxious measures, was interrupted by one popular and wise resolution. The determination of contested elections was left to fifteen members, chosen out of the whole body, upon the same principles which regulate the nomination of a common jury. This regulation, which

met with no opposition from any party, because all the disputes about elections were now finally decided, was become extremely necessary. No semblance of justice, honour, or conscience had been observed on these occasions for a series of years. The members, who were all to be judges, often promised their vote to the candidate, before the cause came into the house, which was generally very thin during the trial, but extremely crowded, when the question was put. The merits of the case were reckoned of no moment: the members thought nothing requisite but to give their votes. Many made no scruple of retiring to dinner, when the most material evidences were examined, and of returning to vote with as much gravity as if they knew something of the matter. Nay, affairs had been carried to such a pitch of infamy, that at the commencement of causes of this nature, some question was proposed to try the strength of the parties; and that, which was found to be the weakest in numbers, was forced afterwards to submit to the irksome expence of a cause, which he knew to be desperate. In short the members themselves were forced to acknowledge, that if their property were at stake, they would prefer to the judicature of the commons a jury of porters, chairmen, or even pickpockets. Who then can be surpris'd at the expulsion of Wilkes, and the flagrant injustice done to the freeholders of Middlesex, and to all the electors of Britain: a subject, to which it is now time to return?

On the first day of the session, lord Chatham, lord Camden, the marquis of Granby and others declared against the ministry, who had, during the whole summer, treacherously insinuated, that the two first great personages approved of their conduct. The consequence was, that they fell into confusion. Granby and others voluntarily resigned. Camden was displaced; and Yorke with great difficulty accepted the seals. But, repenting of his treachery to his friends
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and country, he redeemed his character by a voluntary death. Shocked and terrified by this unexpected event, Grafton deserted the helm, and lord North succeeded as lieutenant. Sir John Cust, having fallen a victim to disease, he caused his place to be supplied with sir Fletcher Norton: a choice, which shews how careful both he and the house are to preserve the good opinion of the public, who will judge of their integrity and patriotism by the known virtue of their speaker.

These arrangements being made, and pensions bestowed on Bradshaw, Dyson and other obsequious gentlemen, the ministers were forced to allow the national business to be resumed, before they supplied the many vacancies, which had taken place. No man of character would accept the chancellorship, nor the office of commander in chief. They were under a necessity of making Hallifax lord Privy seal, and Charles Fox a lord of the Admiralty. Yet still the majority of the lower house was obsequious: no step was taken to satisfy the people. Well assured, that if the popular party became triumphant, the parliament would be dissolved, they adhered steadily to the old system, in order to prevent that measure, which they and the court deemed the greatest of evils. The state of the nation indeed, and the Middlesex election they took under consideration; but the result of their deliberations, instead of giving satisfaction, became a new source of complaints. The people foresaw, that this would be the case: their attention was therefore chiefly directed to the motions of the upper house; where it was hoped, that the authority, virtue and eloquence of Chatham and Camden, would have a powerful effect. Being disappointed in their expectations of redress from the throne and their own representatives, they caught, like drowning men, at every straw, and leaned upon that broken reed, a body of courtiers.

Chatham, it is true, exerted himself in spite of age and infirmity, with all the fire of youth, and dissipated those clouds which had for some time obscured his character. But his efforts were ineffectual; the courtly tribe remained unshaken by all the thunders of his eloquence.

At length, in order to perform something decisive, it was moved "That the House of Commons is, in determining elections bound to judge according to the law of the land, and to the law and custom of parliament, which constitute a part of it."

The ministry asked, "how it could be supposed, that they could take cognizance of an affair, which did not fall within its jurisdiction: expulsion and incapacitation of members, being acts relative only to the societies, to which they belong? You are not aware, that this step will be a breach of privilege, a direct infringement of the rights of the commons, who have declared, that no peer shall interfere in an election? Shall we, who are not allowed to interpose in a single election, pretend to sit in judgment on all the representatives of the people, and to pronounce upon the choice of every elector in the kingdom? Nothing could be more irregular or unconstitutional; as every assembly must have certain inherent uncontrollable powers for the preservation of internal order and decorum. Many instances might be produced to prove the independent power of either house in expelling and incapacitating members; but two will suffice, because they are cases in point. The first is, that of Lionel, earl of Middlesex, who in the reign of Charles II^d. was for certain crimes and misdemeanours judged incapable of ever sitting in this assembly. The second, is that of lord Bacon, who, though a man of shining talents, shared the same fate, because he was convicted of bribery and corruption. In both these cases, we find none of the other branches of the legislature alarmed; they sat quiet and undisturbed. Knowing their interposition improper and unnecessary, they

they did not even furnish, that the laws of this assembly, or of the land, were by these acts violated. How then came this doctrine to be broached? Who should naturally be so tenacious of their liberties, as the members themselves? Yet, great as the paradox seems, we find many of them eager to relinquish them on this occasion. What solution can we give of so strange an appearance? The spirit of party has gone abroad, and proved successful in its wiles and seduction. But, it is urged, that the majority of the people are alarmed; and that their minds ought to be quieted. Let us attend to the fact. The whole of the people are contained in forty counties; of which only fifteen have petitioned. Now it requires no great knowledge of numbers, no deep calculation, to be able to tell, that fifteen is little more than one third of forty. Shall we then consider so small a number as the general body of the people? Are privileges to be violated, and arbitrary assumptions to be obeyed, because this is demanded by a few discontented and factious men? Forbid it reason! Forbid it justice. Not many years ago, two aldermen sent up a remonstrance, complaining in the name of the whole, of some frauds in a corporation. When the house considered, that the corporation consisted of many members, and that only two complained, they set it aside as nugatory and frivolous; rightly judging, that if any real grievance existed, it would have been more powerfully attacked. Let us then, after their example, be superior to these false alarms, the feeble echoes of despondence and ambition. Let us, like the real guardians of the nation remain steady in supporting the privileges of the people, but not be too forward in appearing, when no real danger presses. If the commons think themselves insulted by having a member forced upon them, whose private or public conduct they disapprove, let them determine the point among themselves: It would ill become us to widen the breach between the people and their representatives, by creating a rupture between

tween the two houses, on whose concord and unanimity, the safety of the nation at this juncture depends."

"Unanimity in the two houses, said the minority, is very commendable, when both adhere to the principles of the constitution; but in the present case, the commons have daringly violated the laws of the land: it becomes us then, not to remain tame spectators of such a deed, if we would not be deemed accessory to their guilt, if we would not be branded with treason to our country, which now loudly calls for our assistance. We have an undoubted right to take this step: we have precedent on our side, our forefathers exercised this right in the case of Ashby and White, and received the applauses of the whole nation. It is ridiculous to pretend, that by this act we will commit a breach of privilege. The commons can have no privilege by which they are authorised to break the laws. Whenever they forget themselves, and commit such an outrage, we must step forward, and check their usurpation. We are the natural, the constitutional balance to their encroachments. If this be not the case, why, in the name of wonder, were the three estates constituted? Why is our concurrence necessary to establish the validity of statutes? This point is so evident, that it may be left to the decision of the rawest school-boy. If, then, we must concern ourselves in the making of every law, how much more are we bound to interest ourselves in preserving the very essence of the constitution, in preserving that right, which is antecedent to all laws, the right of election? But, lord Middlesex, and lord Bacon were expelled and incapacitated without any opposition from the other branches of the legislature? They were so: but both were cases that respected only themselves; and consequently could not with any propriety come under the consideration of any other branch. In the case of Wilkes, we do not complain so much of the personal injury, as the violation of the rights
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of the people, who are grossly abused and betrayed by their representatives. The cases then being as widely different as north and south, the argument founded on them becomes utterly inconclusive. But let us allow you a succedaneum to your argument; let us suppose that the authority, which gives a seat to a peer is as respectable as that, which confers it on a commoner, and that both authorities are equally affronted by expulsion and incapacitation. Yet still, the comparison will not hold; since these lords received no fresh title by birth or patent, and therefore could not claim a seat after the first expulsion. Wilkes may perhaps complain, that he was unjustly expelled; but the chief subject of the nation's complaint is, that he was rejected after his re-election. Had not this event taken place, prescription might have rendered the first expulsion valid. If you ask who should be more tenacious than the commons themselves of their privileges; we answer, that none should be so ready to protect them: and it is sincerely to be lamented, that by their recent conduct they have so far forgot their duty, as to add to the long list of venality from Esau down to the present day. Though, to consider matters in their true light, it is the privileges of their constituents, that they have betrayed. Having now set up a separate and independent interest, they would acquire, and you would grant them, a new privilege, that of selling their constituents. You desire to know how this doctrine came to be broached. We must beg leave to acquaint you, that it is as old, nay older than the constitution; the liberty of the people, being the first thing for which provision is made in the original institution of government. Though, in the case of Wilkes, we have not many instances to prove the contested right, yet it is by no means the less constitutional: nay, it is the more so, that there are no parallel cases in our history; as this circumstance proves, that it was never before questioned. The infrequency of its appearance, may, indeed, like
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a comet in the firmament, dazzle the vulgar and untutored : but the statesman, versed in political science, it affects no more than the most common appearance; its course being equally simple and intelligible. You attempt to be very exact in calculating the proportion, which the petitioners bear to those, who have yet remained quiet. But, you have been a little unfortunate in one circumstance, the omission of which overturns your whole system. You have only compared the numbers of the counties, not the number of their inhabitants. You forgot, that they are not all equally populous, and, that the fifteen counties, which have petitioned, contain more people than all the rest of the kingdom; as they pay infinitely more land-tax. And, were they not the more numerous of the two parties, yet the superiority of their wealth entitles them to more consideration than the other counties; for the share of the national burdens, which any part of the kingdom bears, is the only rule by which we can judge of the weight that it ought to have in the political balance. This reasoning is founded on the supposition, that they entertain sentiments different from one another. But, who does not see, that the rest only wanted leaders to rouse them to action? Were the case otherwise, leaders were not wanting to excite them to present addresses; and they would certainly have presented them, had they disapproved of the petitions. After considering the influence of the crown, and the vast number of placemen, we may be justly surprised, that fifteen counties had virtue enough to assert their rights, and the remainder independence enough not to counteract them. But, were the majority on your side, you ought to remember, that numbers do not constitute right, and that, if no more than one had petitioned, yet, that one ought to be heard, and its cause to be tried and adjudged by the laws of the land. Let us not then be deaf to the voice of the people, but agree to this motion, which is highly necessary to quiet the minds

minds of the public, by doing them justice, at a time when the decision of the other house, which is evidently inconsistent with the principles of the constitution, and irreconcilable to the laws of the land, has produced such general discontents, such universal alarms throughout the kingdom. Though we do not deny, that the determination of the right to a seat in the House of Commons is competent to the jurisdiction of that house alone: yet, when to this circumstance it is added, that whatever they, in the exercise of that jurisdiction think fit to declare to be law, is therefore to be considered as law, because there lies no appeal, we conceive ourselves called upon by our country to give this proposition, thus modified, the strongest negative. For, if it be once admitted, the law of the land, by which all courts of judicature are, without exception, bound to proceed, is at once overturned, and resolved into the will and pleasure of a majority, of one house, who in assuming this authority, assume a power of over-ruling at pleasure the fundamental right of election, which the constitution has placed in other hands, those of their constituents. This we think the more necessary, because, if ever this pretended power should come to be exercised to the full extent of the principle, that house will no longer represent the people, but dwindle into a separate body altogether independent, self-existing, and self-electing. We are told, that expulsion implies incapacity; and the proof insisted upon is, that the people have acquiesced in the principle by not re-electing persons expelled. But, we equally deny the position as false; and reject the offered proof as no way supporting the position, to which it is applied. As not re-electing would at most but infer a supposition of the electors' approbation of the grounds of the expulsion, and by no means their acquiescence in the conclusion of an implied incapacity; so, were there not one instance of re-election after expulsion, but Woolaston's, that alone demonstrates, that, neither did the constituents

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admit, nor the House of Commons maintain incapacity, to be the consequence of expulsion. Even the case of Wapole, shews by the first re-election, that in the judgment of the people, expulsion did not infer incapacity; and that precedent too, the only one of a declaration of incapacity, and produced, as it was, under the influence of party violence in the latter days of queen Anne, decides expressly against the proceeding of the commons in the late Middlesex election, as far as it relates to the introduction of a candidate having a minority of votes. As the constitution has been once already destroyed by the assumption and exercise of the very power, which is now claimed, the day may come again, when freedom of speech may be criminal in that house, and every member, who shall have virtue enough to withstand the usurpation of the time, and to assert the rights of the people, may for that offence be expelled by a factious and corrupt majority; and by that expulsion be rendered incapable of serving the public: a situation, in which the electors will find themselves reduced to the miserable alternative of entirely relinquishing their right of election, or of choosing only such as are enemies to their country; men who will be passive at least, if not active, in subverting the constitution. It is asserted, that the judicial proceedings of either house are not to be questioned, or reversed, as they are without appeal; but we apprehend, that the arguments employed tend directly to establish the exploded doctrine of passive obedience and non-resistance, which we hold equally dangerous, when applied to any branch of the supreme power. Though it be generally true, that neither house ought lightly and wantonly to give even their opinion of matters, which the constitution has entrusted to the jurisdiction of the other, we judge it no less true, that when under colour of a judicial proceeding either house arrogates to itself the power of the whole legislature, and makes the law, which it professes to declare, the other may,

may, and ought, to assert its own and the people's rights. This house has done so in former instances, particularly in the famous case of Ashby and White; in which the first resolution of the lords declares, "that neither house has any power by any vote or declaration to create to themselves any new privilege, that is not warranted by the known laws and customs of parliament. After their example we ought to interfere at this juncture, because our silence on so important and alarming an occasion may be interpreted into an approbation of this obnoxious measure, and be the means of our losing with the people that confidence, which is so essential to the public welfare, and which it becomes us, as the hereditary guardians of their rights, to maintain. This power assumed by the commons of creating an incapacity unknown to the law, and thus depriving the people of the invaluable right of election, which is confirmed to them by so many solemn statutes, is a flagrant usurpation, and as highly repugnant to every essential principle of the constitution, as the claim of ship-money, set up by Charles the Ist. or the suspending power arrogated by James the IId. this being, in fact, 'a suspending and dispensing power exercised by the House of Commons to the destruction of the ancient and fundamental liberties of the kingdom.'" These invincible arguments were little regarded: the motion was rejected by a great majority. Though it was now midnight, a proper hour for giving a stab to the vitals of the constitution, it was moved, that any resolution of the upper house *directly* or *indirectly* impeaching a judgment of the lower, in a matter, where their jurisdiction is competent, final and conclusive, is a violation of the constitutional rights of the commons, tends to make a breach between the two houses, and leads to a general confusion. This proceeding being judged sudden and precipitate, an adjournment of two days was solicited; but the ministry would not delay so mortal a blow for a moment. What they wanted in arguments

arguments they compensated by numbers, and carried the question in the affirmative. The following protest, which was entered by many lords, gave their triumph the air of defeat.

“ We apprehend, said the dissentient peers, that the rights and powers of the peerage are not given us for our own particular advantage, but merely as a constitutional trust to be held and exercised for the benefit of the people, and for the preservation of their laws and liberties; and we should hold ourselves betrayers of that trust, unworthy of our high rank in the kingdom, and of our seats in this house, if we considered any one legal right of the people, much more the first and most important of all their rights, as a matter indifferent or foreign to us. We cannot therefore be silent on this occasion, when by this resolution the body, of which we are members, declares to the world, that if the House of Commons should change the whole law of election; should transfer the right of the freeholders to copyholders and leaseholders, or totally extinguish those rights by an arbitrary declaration; should alter the constitution of cities, and boroughs with regard to their elections, should reverse not only all the franchises of suffrage held under the common law, but, also trample upon the sanctions of all the acts of parliament made for declaring and securing the rights of election; that, even in such a critical emergency of the constitution the people are to despair of any relief from the direct or indirect interference of this house. By this resolution, the house not only refuses to protect the people, should they suffer the most grievous injuries from their representatives, but it also abdicates its ancient and unquestioned province of acting as hereditary council to the crown by rendering itself unable to give advice in a point, where, above all others, the king may stand in need of its wisdom and authority. By this resolution we do a very material injury to the House of Commons. For by the studied latitude of the words

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“directly or indirectly to impeach,” we cannot, either in the present, or in any future unfortunate difference between them and their constituents, interpose our amicable and healing mediation: the want of which may be the means of letting such difference run to extremities, fatal to the house of commons, fatal to the constitution, and the nation. As a house of parliament, we conceive it our peculiar interest, that the people should be legally and constitutionally represented. For, as the house of commons makes an essential part of the constitution, if that house should come to be chosen in a manner not agreeable to the laws and constitution of the kingdom, the authority of the whole parliament must suffer extremely, if not wholly perish. The peers can no more, in their legislative capacity do any valid act, without a “legal house of commons, than without a legal prince upon the throne.” By this resolution, we give up that constitutional controul, for which the legislature has been divided into separate branches, and which, according to ancient and recent precedents, we have constantly claimed and exercised. We are far from denying such a reciprocal controul in the other house, even in matters within our separate and final jurisdiction. We neither arrogate to ourselves, nor acknowledge in others any power unknown to the constitution, or superior to the laws of the land. But we cannot behold without the utmost shame and indignation, this house making a voluntary surrender of its most undoubted, legal, necessary, and sacred rights, not only omitting, but refusing to examine precedents, not previously desiring a conference with the other house, in order to discover whether they are inclined to admit in this house a correspondent immunity from interposition on their part in matters within the particular jurisdiction of the peers. These proceedings are as derogatory from the dignity of the house, as they are contrary to its duty and interest; they cannot fail of lowering it in the opinion of mankind,

who will not believe, that the peers can pay any attention to the welfare of the people, when they discover so little regard to their own honour. These measures must tend to forward that plan, which, with great uneasiness we have seen for a long time systematically carried on for lowering all the constitutional powers of the kingdom, for rendering the house of commons odious, and the house of lords contemptible. The impropriety of this resolution is infinitely aggravated by the sudden and surreptitious method, in which it was proposed and carried. That a resolution new in matter, wide in extent, weighty in importance, involved in law, and parliamentary precedents, should be moved at midnight, and after the house was spent with the fatigue of a former debate: that an adjournment of only two days to enable us to consult the journals on this important point, should be refused; and that an immediate division should be pressed, are circumstances that strongly mark the opinion of the movers upon the merits of their own proposition. Such a proceeding appears to us altogether unparliamentary and unjust; as it must, in every case, where it is practised, preclude all possibility of debate, and by the suppression of all argument and fair discussion, make the deliberations of the house degenerate into silent votes. We think ourselves, therefore, as peers, as Englishmen and freemen, (two names dearer to us than any titles) obliged to protest against a resolution utterly subversive of the dignity and authority of this house, equally injurious to the collective body of the people, to their representatives, and to the crown, to which we owe our advice upon every public emergency: a resolution in law unconstitutional, in precedent not only unauthorised, but contradicted, in tendency ruinous, in the time and manner of obtaining it, unfair and surreptitious. For these reasons we here solemnly declare, and pledge ourselves to the abused public, that we will persevere in availing ourselves, as far as in us lies, of every
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right and every power, with which the constitution has armed us for the good of the whole, in order to procure full redress to the injured electors of Great Britain, and full security for the future against this most dangerous usurpation, which, by sapping the fundamental principles of this government, threatens its total dissolution."

All hopes of redress from either house being thus at an end, the people, who were justly alarmed with the fear of speedily and finally falling into a state of slavery, resolved once more to approach the throne; and to remonstrate against such pernicious measures. Since the king had neglected their humble petitions, they determined to try the effect of spirited remonstrances, before they came to the last appeal. The city of London set the example. It was with some difficulty, that they could procure an audience, and it was certainly debated in council, whether their remonstrance should be received. However, after some chicanery, the lord mayor, the city officers, many of the common council, and the livery presented it in the name of the capital. It was conceived in these words: "We have already in our petition dutifully represented to your majesty, the chief injuries which we have sustained. We are unwilling to believe that you can slight the desires of your people, or be regardless of their affection, and deaf to their complaints: Yet their complaints remain unanswered: their injuries are confirmed, and the only judge whom the revolution has left removable at the pleasure of the crown, has been dismissed from his high office for defending in parliament the law and the constitution. We, therefore, venture once more to address ourselves to your majesty, as to the father of your people, as to him, who is able, and ought to be willing, to redress our grievances; and we repeat our application with the greater propriety, because we see the instruments of our wrongs, who have carried into execution the measures of which we complain, more particularly

distinguished by your royal bounty and favour. Under the same secret malignant influence, which, through each successive administration, has defeated every good, and suggested every bad intention, the majority of the house of commons have deprived your people of their dearest rights. They have done a deed more ruinous in its consequences than the levying of ship money by Charles the first, or the dispensing power assumed by James the second: a deed which must vitiate all the future proceedings of this parliament; for the acts of the legislature itself can no more be valid without a legal house of commons, than without a legal prince upon the throne. Representatives of the people are essential to the making of laws; and there is a time, when it is morally demonstrable, that men cease to be representatives. That time is now arrived. The present house of commons do not represent the people. We owe to your majesty an obedience under the restrictions of the laws, for the calling, and duration of parliaments; and your majesty owes to us, that our representation, free from the force of arms or corruption, should be preserved to us in them. It was for this purpose we successfully struggled under James the second; for this purpose we seated, and faithfully supported your family on the throne. The people have been invariably uniform in their object; though the different mode of attack has called for a different defence. Under James the second, they complained, that the sitting of parliament was interrupted, because it was not corruptly subservient enough to his designs. We now complain, that the sitting of this parliament is not interrupted, because it is corruptly too subservient to the designs of *your* ministers. Had the parliament under James the second, been as submissive to his commands, as it is at this day to the dictates of a minister, the nation, instead of clamours for its meeting, would have rung, as now, with outcries for its dissolution. The forms of the constitution, like those of religion,

religion, were not established for the sake of the form, but of the substance. And we call God and men to witness, that, as we do not owe our liberty to those nice and subtle distinctions, which places and pensions, and lucrative employments have invented, so neither will we be cheated of it by them. As it was gained by the stern virtue of our ancestors, by the virtue of their descendants it shall be preserved. Since therefore, the misdeeds of your ministers, in violating the freedom of election, and depraving the noble constitution of parliament, are notorious, as well as subversive of the fundamental laws and liberties of this realm; and, since your majesty is, both in honour and justice, obliged inviolably to preserve them according to the oath made to God and your subjects at your coronation, we your remonstrants assure ourselves, that your majesty will restore the constitutional government and quiet of your people, by dissolving this parliament, and removing those evil ministers for ever from your councils."

The king was *most graciously* pleased to read this *gracious* answer. "I shall always be ready to receive the requests, and to listen to the complaints of my subjects: but it gives me great concern to find, that any of them should have been so far misled as to offer me an address and remonstrance, the contents of which I cannot but consider as disrespectful to me, injurious to parliament, and irreconcilable to the principles of the constitution. I have ever made the law of the land the rule of my conduct, esteeming it my chief glory to reign over a free people. With this view I have always been careful, as well to execute faithfully the trust reposed in me, as to avoid even the appearance of invading any of those powers, which the constitution has placed in other hands. It is only by persevering in such a conduct, that I can either discharge my own duty, or secure to my subjects the free enjoyment of those rights, which my family was called to defend. While I act upon these principles,

I shall have a right to expect, and I am confident that I shall continue to receive, the steady and affectionate support of my people." After the citizens had kissed his hand, and were retiring, he instantly turned round to his courtiers, and *burst out a laughing*: a circumstance, which made people recollect, that *Nero fiddled when he had set Rome on fire*. It was likewise remarked, that the king's words were no answer to the remonstrance, as the city had not accused him, but his ministers; and he had no occasion to defend himself, till he was attacked. This imprudent step was attended with many bad consequences. As he had thought proper to substitute himself in the place of his ministers, and to consider their cause as his own, the nation began to enquire what personal share he had in the transactions, which he thus undertook to justify. The stopping of justice in the exchequer, the issuing of the national money for the protection of ministers convicted of breaking the law, the thanks bestowed on the military for their feats in St. George's-fields, the inquisition of surgeons, the pardon of Macquirk, the pensions conferred on Mac-loughlan and other villains, all these circumstances rushed upon the mind, and forced it to form conclusions not very favourable to majesty. It was expected, however, from the firm and resolute tone, which was assumed on this occasion, that vigorous measures would be pursued by the ministry, who talked in a very high strain. Nothing was heard of among their tools, but threats of the tower, of impeachment and decapitation. The remonstrance must be burnt before the Royal Exchange by the hands of the common hangman, in order to crush all such treasonable libels in the bud. And, indeed, there is little reason to doubt that this was the scheme in agitation, when the king was advised to read the counter remonstrance, which we have recorded above. The same violent measures, which had already enflamed the nation, were to be continued. But, when the affair came to be discussed

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in parliament, the hearts of the ministers failed them: they durst not meet the collected rage of the nation. After some opposition, they caused the remonstrance to be laid before the two houses; and in the lower it was moved, that “to deny the legality of the present parliament, or to assert their acts to be invalid, was unwarrantable, and tended to destroy the allegiance of the subjects by withdrawing them from obedience to the laws:” a resolution, by which it was intended to censure the remonstrance, as a preliminary to the punishment of its authors. In support of these measures the ministry argued thus.

“The right of petitioning, is indeed indisputable: but, if a petition contains matter that is false, injurious, or illegal, as treason; or prays for any thing illegal or unconstitutional, it is highly punishable. The form of a petition exempts it by no means from the same prosecution or punishment, which it would meet in any other shape. To use the words of the citizens, it is the substance and not the form, that we are to regard; and, though it be not punishable in the common courts, it certainly is in parliament, the supreme court for regulating all matters affecting the nation at large. A part of this remonstrance is not relevant to the petition: it declares, that our determination of the Middlesex election vitiates the acts of the present parliament: a scandalous assertion, contrary to law, and destructive of the public peace, as it tends to introduce disobedience to the laws, and sounds the alarm to treason and rebellion. To remove this impression it is absolutely necessary for us to vindicate our own authority by this resolution, that the people may not, by our silence, think, that we concur in this sentiment of the city, and that we may quiet the minds of those, who, having procured acts under the present parliament, may be apprehensive of their validity. But this is not the only falshood advanced in the remonstrance: it affirms, that the chancellor was removed for supporting the constitution in par-

liament. Can any thing be more unconstitutional, than to desire the king to dismiss his ministry for such a groundless calumny? The constitution has entrusted his majesty with the sole appointment of his ministers, and the parliament alone, which is the grand inquest of the nation, and from which the nation derives all its liberties, has a right to desire their removal. Though the bill of rights has given the people a power to petition; yet virtually this power must be supposed to extend only to what is in the immediate power of the king to grant, and not to such a high matter as the dissolution of a parliament: a step, which no king will take but by the advice of the privy council, where no minister can advise it with safety to his head. But, were there no other motive to induce us to punish the framers of this remonstrance, the personal injury and affront, which they have offered to the king, would be sufficient; for it is always our duty to maintain the honour and dignity of the head of the empire, whom they have prayed to take notice of a transgression of this house: a thing, which he cannot do without being guilty of a breach of privilege."

"We are at a loss, said the minority, to know where they have desired the king to encroach on the privileges of this house. The king has, by the septennial act, a right to dissolve the parliament; and, by the bill of rights and parliamentary resolutions, the people have a right to petition for its dissolution. This is the only point affecting the parliament, in which they have desired the king's interposition. Where then have they requested him to commit a breach of privilege, or to violate the constitution? The charge is without foundation. But why should we be surprised at this absurdity, when you would punish men for petitioning, an act, against which all prosecutions are illegal? Having once violated the law in the case of the Middlesex election, you would continue the same career, and add violence to violence till you force

force the people to open rebellion. You cannot deny, that the remonstrants are not punishable by law. By what principle then, by what rule of analogy do you intend to proceed? By your own discretion, by that arbitrary maxim, which has already overturned the constitution, alarmed the nation, and annihilated your authority? Forbid it prudence! Forbid it liberty. You would not be defendant, judge, and jury. Being the party accused, with what colour of justice can you take the affair under your cognizance? Recollect the outcries raised against one of our courts of justice for a similar exertion of authority, and drop the idea. In what manner will you proceed against the authors? Will you, by declarations of a contrary tenour, enter into a paper war? If you do, who will regard them? They will be quite nugatory and ridiculous, and encrease that contempt into which you are already fallen. Will you expel or imprison the members concerned? Such a measure would only multiply the inconveniencies under which you already labour. The city will undoubtedly re-elect their members; a circumstance, that will probably introduce riots, which will endanger the existence of parliaments. Will you proceed by quo warranto, and deprive the citizens of their charter? Think of Charles the second, and forbear that violent act. Remember, that the punishment inflicted on the seven bishops, was one of the capital blemishes in the reign of James the second. Similar causes will always produce similar effects. The city of London can kindle a more violent flame than the seven bishops. What signifies a right to petition, except it be attended with a right to express the cause of petitioning? In the courts of law it is deemed no libel to use, in the proceeding, words, and matter, which would be any where else false and scandalous, and therefore punishable. Bills in chancery are generally stuffed with as many lies as words; and yet they are not actionable. The distribution of a printed libel at the door of the House of Commons is not actionable; if it contains
reasons

reasons against any bill depending in that assembly. The reason is, that this is the common form of procuring justice, and that all avenues to obtain it should be as open and free as possible. This doctrine is equally applicable to petitions, which, being another method of seeking redress for injuries, are, and ought to be, by law, equally free. Provided the prayer of the petition be legal, and the rest of the matter, however false, be relevant to the prayer, the authors cannot be hurt by any law known in this land. But who will pretend to prove, that any assertion in this remonstrance is false? If the House of Commons should, instead of electing one member, elect fifty, would any man in that case say, that it had not done an act, which vitiated their proceedings? If fifty members, illegally chosen, would have this effect, one will have the same; for, while one member is wanting, and a false one is substituted in his room, the whole body is no more a representative of the people, than a beggar with a wooden leg is a complete representative of a man. It will be absurd for us to assert, in opposition to the city, that we are a parliament. If we are so, the validity of our acts will shew it, and not a manifesto, which will only render us cheap in the eyes of the people. But, you say, that the assertion concerning lord Camden is false, and not relevant to the petition, and that the parliament alone, from whom the people derive their liberties, has a right to petition for the removal of ministers and the dissolution of parliaments. The protesting lords did not think the assertion false, nor would any other lord, or any other gentleman declare upon his honour, that he deemed it groundless. If any man in this assembly has so much effrontery, let him stand forth, that we may know and avoid him as a shameless enemy to truth. The complaint concerning the removal of Camden is relevant to the petition. For what can be a greater grievance than the dismissal of a chancellor for integrity? That the people received their liberties
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from the parliament is a new doctrine. We hold, that the parliament received its privileges from the people; and we are sure, that by the bill of rights they are entitled to petition in the most extensive sense. But, that right would be no right, if it was punishable, or if it did not comprehend any case that might occur. You seem to entertain too high an idea of the privy council, when you suppose, that the king cannot think of dissolving the parliament without its concurrence. Is not the voice of the majority of the nation more respectable? Nay, is not that of the city of London alone more to be regarded? His majesty has no occasion to be afraid of complying with the desires of his people. If you act on this occasion with rigour and violence, you may perhaps smother remonstrances for a short time: but the flame will soon burst out with tenfold rage. Petitions are of use to the crown, as they prevent rebellions, which would discover themselves in the first instance, if there were no such intermediate steps. James the second punished the bishops for a petition. The nation concealed its indignation, and unanimously rebelled, before he could be convinced of their dissatisfaction. Consider well the object of your censure. It is the chief city of the British empire: a city, which has on numberless occasions proved itself the true friend of liberty, the undaunted supporter of justice, and the insurmountable bulwark of the constitution. It is composed of the wealthiest persons in the empire: their number is great, their influence prodigious, and their proceedings are, in general, the rules of action for all the inferior corporations in the kingdom. To brand them, therefore, at any time, with a mark of disgrace, is to render a vast part of the people dissatisfied with the equity or moderation of our government. It is to make that very part of the community, to which in the hour of public want we fly for assistance, from which we supplicate our loans, and obtain the essential sinews of political strength,

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our declared, nay our confirmed enemies. This would at any time be the consequence of offending London: but in the present case, the evils would be infinitely more complicated and alarming. To censure it for what nine-tenths of the whole empire consider as an act of the most exalted virtue, is to rouse the indignation of every honest, every generous spirit in the extensive circuit of our dominions. It is to throw oil upon fire, to aggravate the fury of a discontent already too pregnant with danger, and to open a scene of horror, that will not perhaps close but on the total overthrow of the constitution."

These arguments did not prevent a conference between the two houses, who agreed to a joint address, expressing their disapprobation of the remonstrance, and their thankfulness to the sovereign for defending their cause. But they had the prudence not to take any farther steps. The reader will judge for himself, whether they did not render both themselves and the king ridiculous, by shewing their teeth without daring to bite. Certain it is, that they did not check the ardour of the popular party. The earl of Chatham brought into the upper house a bill reversing as arbitrary and illegal the resolution of the lower house, with regard to the Middlesex election. But the majority, deaf to his invincible arguments, adhered to the plan which they had already adopted. Thus disappointed, he moved the house to give it as their opinion, that the advice, which induced his majesty to return such a harsh, unprecedented, answer to the remonstrance of the city of London, had a most dangerous tendency; as, under colour of censuring certain obnoxious parts, it compendiously and indiscriminately checked the whole with reprimand. Here he proved equally unsuccessful. Yet still he persisted, and moved, that the lords should address the king to dissolve the parliament; since it had lost the confidence of the people, and could not be supposed capable

pable of recovering its authority, or of healing the divisions of the empire.

Nothing could be more evident than the truth of this proposition; and so fully was the majority convinced, that they could make no rational defence, that they ordered the doors to be shut, as if the assembly had been a body of inquisitors: a practice too much countenanced by the House of Commons, since they have pursued an interest different from that of their constituents. Public affairs are now managed in such a secret dark manner, that we cannot help concluding, that a few deputies and hereditary nobles consider us as their property, and that we have no right to enquire into their conduct, or to check their proceedings. The nation, which used to be the grand inquest for examining every disorder in the state, is prevented from acting by the mysterious veil of concealment, under which their measures are wrapped. The senate being, like some of our courts of justice, shut on all interesting occasions, the constituent has no opportunity of knowing whether he may not be sold or betrayed by his representative. Let a member vote for, or against his country, he is without doors equally secure. In such a multitude of venal men he generally escapes without detection or infamy. If any printer should dare to publish a list of the members, who vote on opposite sides of any question, he is immediately punished with arbitrary fines or imprisonment. A recent instance of these unconstitutional proceedings we have in the case of Edmunds, and many more must occur to every reader's memory. Under pretence of securing privilege they overturn liberty, for the sake of which privilege was granted. They forget, that the privilege of not being challenged for words spoken in the house was given not to secure them from the scrutiny and even censure of the people, but to exempt them from the vindictive spirit of the crown, which alone can be dangerous to them or their privileges. But being now
leagued

leagued with the crown, they usurp the privilege of setting aside the most sacred laws of the land, and condemn a man without being tried by his peers, without ever submitting the affair to the consideration of a jury: an institution as inviolable at least as the privilege of parliament.

However strange it may sound, this exclusion of all *strangers*, as the two houses are pleased to call the people of England, was the best defence made by the majority on that day. But they thought the futility of their arguments compensated by the greatness of their numbers, and accordingly rejected the motion. This failure was no more than what all the nation expected; and the earl of Chatham could never seriously imagine, that his patriotic efforts would succeed. All he could mean by them was to countenance the struggles of the people, from whose virtue and spirit only redress was now to be sought. On the very day, that this motion miscarried, the citizens of London agreed to a second remonstrance assuring the king, that they would resolutely adhere to the purport of their former petition and remonstrance. It was answered; but the answer was such that it provoked Beckford, the lord-mayor, to declare to his majesty, that the adviser of it was an enemy to his family, to the revolution and to the nation: a vigorous and spirited step, that excited the indignation of the court as much as it procured the applause of the city, which, having a few days before thanked lord Chatham for his public spirit, now conferred the same honour on Beckford, for supporting the national cause with so much dignity.

While the capital was making these vigorous efforts, other parts of the kingdom were not idle. Westminster, Middlesex and Surry had prepared remonstrances, and other counties were meditating to follow their example. It was only lamented, that the trained bands were not properly exercised and disciplined, that fear might operate where law and justice had

had failed of producing the due effect. Many did not consider, that unsuccessful resistance only straitens the bands of tyranny, and adds strength to the most odious government. Hurried on by their zeal, they did not see that justice always attends the victor, and is measured by his sword: the event being the sole criterion, that determines on which side loyalty or rebellion lie. Influenced by passion more than by prudence, they did not perceive the necessity of universal concurrence, of the whole nation's taking an active part against government, before the last appeal was made. If the national ferment should ever rise to this height, then and not till then will it be time to take this step. That they will take it, should the present system of government be continued, there is some reason to suspect. Englishmen will know their own cause, and spurn at slavery.

The course of these ruinous measures was interrupted by an act, which, at all times will be useful, and would have at any other time been popular. By this act, felony, blasphemy by statute, or any other crime, which a statute punishes with the pillory, were pronounced to be the only offences, for which incapacitation should follow expulsion. Had this law existed, previous to the expulsion of Wilkes, he could not have been incapacitated: a clear proof that the most violent sticklers for that measure could not reconcile it to the principles of the constitution, since, though secure of a majority, they could not give a specious appearance to a statute, in which its validity was implied. This effort to regain popularity, and to efface the bad impressions already made, was of too short continuance to have any considerable effect. The wound, which had been given, was too deep, and the remedy too weak to remove an evil of such magnitude. The people brooding over the Middlesex election, and other grievances, thought themselves affronted by such pitiful attempts at popularity, and
would

would accept of no such trifling compensations. When their fundamental liberties were at stake, they would hear of no equivalent. Indeed the legislature acted so irregularly, and, like the pendulum of a clock, vibrated so unaccountably between good and ill, that it was difficult to say whether these two acts were owing to design or accident. For at the very time, that they were in agitation, the royal assent was given to the game act and dog act, by which the use of juries was in certain cases annihilated, and a discretionary power of imprisoning, fining and punishing, granted to justices of the peace, a body of men, who cannot be held in the highest esteem because they generally owe that office to their supposed servility to the crown. The extension of their authority was accordingly beheld with jealousy; and the nation justly complained, that by degrees juries would be entirely superseded, if they continued thus to retrench their jurisdiction.

The alarm was the better founded, that special juries, another name for packed juries, were now introduced on every occasion. If a bookseller sold a magazine containing an obnoxious letter, the secondary, an officer under the influence of the court, was immediately employed to prick down a body of eight and forty men, that were known to be staunch to government. The parties had, indeed, a right to reduce them to twelve. But what did this privilege avail the culprit, since his enemies had originally named the eight and forty? He was sure to be condemned. These twelve *special* men did not hesitate to find him guilty of publishing a letter, which he had never read, which had been published before, which had never been judicially condemned, and which, perhaps, he did not know to be inserted in the magazine. Regardless of the liberty of the press, to which this practice is destructive, they declared him culpable with the same ease that they found

Wilkes guilty of publishing what he concealed with care.

Nor was it England alone, that complained of ministerial encroachment. Ireland too, feeling the approach of despotism, began to murmur. The army upon the Irish establishment should, by act of parliament, have amounted to twelve thousand effective men. An administration that was ever aiming at the encrease of the military, did not think this number sufficient. Taking advantage of the disturbances occasioned by the White-boys, a disorderly mob, that had some years before committed various enormities, under pretence of preventing the enclosure of commons, they proposed, that it should be augmented to above fifteen thousand men. The same attempt had been made in the preceding session; but had miscarried, through the precipitation of the governor, who, instead of bargaining with the leaders of opposition, endeavoured to surprise them into acquiescence. Matters having been now properly managed, the scheme succeeded; and twelve thousand men are constantly to remain in Ireland, unless England should happen to be invaded or to rebel: a case, in which they may go abroad, and be taken into English pay.

In support of this measure, it was urged, that the country was open; that the Spaniards might reach it in four days from Ferrol; that an invasion might put it a hundred years back in its improvements; that Thuror's landing would shew how dangerous it was to be without a military force; that the soldiery, instead of being dangerous to liberty, might, as in Holland and Sweden, be its firmest bulwark; that, if necessary for no other reason, the augmentation was necessary for the protection of the revenue officers, and for the suppression of thieves and rioters; that, as the constitution now stood, the king might order every soldier out of the kingdom, but that by the proposed mode, twelve thousand men must always

remain for the protection of the country, while the rest were payed by England: a regulation, by which the prerogative of the crown was diminished, and the authority of parliament encreased.

“ Nothing, said the opposition, can be more futile than what you assert concerning the king's power, to order all the army out of the kingdom. He has no such power. When the crown has ventured upon this unconstitutional step, it has been often obliged to apologize for its conduct, and to assure this house, that the precedent should not be followed. Consult our Journals, you will find, that the duke of Ormond and the earl of Wharton, have both acknowledged this doctrine, and that it was never, till now, suspected, that the king was possessed of such a strange prerogative. As little was it formerly imagined, that every sixpence of the money voted for the support of the military establishment, was not voted for the support of this kingdom. Not to speak of the positive acts, which justify this assertion, we can prove, that the troops furnished by us for queen Anne's wars were payed by England. But the White-boys are to be quelled, and the Spaniards to be repulsed. Why then were not the three regiments raised, when the former were actually engaged in riots, and the latter at open war with us; and not at this juncture, when both have ceased to alarm us, when we are at peace with all the world? The reason is plain. They are not intended to act against foreign enemies, or to secure the British dominions from invasion; but to curb the spirit of liberty in England, and to awe stubborn independence into subjection. Why else is a rebellion in England made one of the cases, in which the troops may be drawn out of Ireland? Why else was such an odious imputation fixed upon that country? The three regiments will, without doubt, be immediately transported into England, and more will follow them, when the ministers think proper to apprehend an invasion, or a rebellion. No dependence ought

ought to be placed on the promises of the crown, because they have been frequently broke. Under lord Digby's administration a solemn promise was made to a new-raised regiment, that it should not be sent abroad; but no sooner was it formed, but some old regiments made the men prisoners, and put them, like slaves, on board the transports. A regiment raised once in the Highlands of Scotland, met with the same treachery; a circumstance which produced an immediate desertion, and contributed afterwards to excite a rebellion. We are told, indeed, that the soldiery may be the bulwark of liberty; because Holland and Sweden are yet in some measure free, though they have large standing armies. We hope our troops will follow their example; but we do not think it prudent to place much confidence in them, when we view the state of the surrounding nations. As general experience is against them, two exceptions will not be sufficient to convince us, that mercenary troops are not dangerous to liberty, when the experience of all ages confirms the truth of the maxim. Before our army become the support of liberty, it must be formed after the Swedish model, or we must exchange situations with Holland. As long as the constitution of our army, and our situation are similar to those of France, Spain, and other countries, when they lost their freedom through the usurpation of their rulers, and the treachery of their troops, it is our duty to be strenuous in resisting the encrease of the military, unless we would have a military government. Indeed we have already felt their arbitrary spirit. They have committed daring outrages in every part of the kingdom, as well as in the capital, where they have carried the sheriff prisoner to their barracks; where they have at noon-day, and with impunity, broke open the king's jail, and set all the criminals at liberty, because the civil officers had presumed to commit soldiers to prison, for riots and other breaches of the law. Ought a body of men, who

are capable of such outrageous violence, to be augmented? Ought rulers, who encourage such daring licentiousness, and thus endeavour to effect a breach between the civil and military power, to be trusted with an augmentation? If you will be so blind, or so treacherous, adieu to independence, adieu to liberty. We are no longer our own masters, but the sport of an insolent soldiery. For any useful purpose their number is already too great, else why are they not kept up to their full complement? Why do we pay twelve thousand men, when in times of the utmost danger and necessity they have not amounted to half that number? Why do the officers amount to one third of the private men? That our army might be the most expensive and burthensome, while it is the least efficacious in Europe, that by the disposal of places, the influence of government might be extended, while the commerce of the nation is contracted. The proposal of an augmentation is altered in form, not in fact. Why then should we not put our negative upon it in this, as well as in the last session, since it was the substance, not the shadow, which we at that time rejected? The people of Ireland are but an handful to those of Great Britain, and their riches are comparatively still less considerable than their numbers. What then can be a more extraordinary exertion in the time of profound peace, than to raise a standing army, inferior only by two thousand men to the British? Is there not reason to suspect, that the crown intends to make a bad use of such a dangerous engine? Influenced by similar suspicions, the English legislature limited the Irish army at the revolution to twelve thousand men against the express desire of their deliverer. In the year 1745 a measure of this nature was proposed in the House of Commons, but dropped through the disinterested representations of the earl of Chesterfield: a transaction, which, among his other meritorious deeds, has done peculiar honour to the unparalleled

ralleled administration of that excellent nobleman. If then, as appears from fact, there was no necessity for an augmentation in the years immediately subsequent to the revolution, nor during the crisis of an unnatural rebellion, how can it be expedient at this juncture, when all the western parts of Europe are lulled into the most perfect calm? Is it the intention of the ministry to make the same use of it, that they made of the last troops sent out of this island? Are they meditating any new blow against North America, and the commerce of the empire? This augmentation will certainly operate like a two-edged sword upon the liberties of Ireland and Britain. It will prove dangerous to our fellow-subjects in America, subversive of the good understanding, which should always subsist between the two kingdoms, and preventive of the only true and constitutional defence, a national militia, for which the protestants all over the kingdom are clamouring. It will extend the influence of the crown, and enlarge a devouring and constantly encreasing expence, that of the military establishment, which, as it now stands, amounts annually to more than a million sterling: an enormous sum, that must be truly alarming to all but those, who can see with unconcern, that we pay to pensioners, that are chiefly strangers, a yearly tax of almost a hundred thousand pounds. Nor is it a consideration to be neglected by us, that it is not in the power of the crown to keep the promise which it makes us, of always leaving twelve thousand effective men for the protection of this kingdom. This is only a decoy to ensnare us: two statutes, one passed under Charles the second, the other under William the third, expressly contradict this act. Therefore it can never be valid: as an inferior can never supersede a superior authority. By these statutes the absolute power and disposition of all the land and sea forces must always remain in the crown. Let us not then be deceived,

nor, for the sake of retrenching a prerogative, which, in spite of promises, will never be relinquished, grant an augmentation, that will extend that very prerogative."

The pliancy of the commons of Ireland, on this occasion, did not on the next hinder them from exerting an unusual spirit of independence. Whether it was, that they thought themselves imposed upon in the case of the augmentation, or that they were willing to retrieve their character among the people, or that they designed to imitate the Americans in shaking off the chains of servitude, they refused to pass a money bill, because it had not taken its rise in that house, but in the privy-council; where, since Henry the seventh's reign, almost all bills had originated. Under that prince sir Edward Poyning, when lord lieutenant, got a law passed, by which it was ordained, that the lord lieutenant, and council, should, under the great seal of Ireland, certify to the king and English privy-council, all the laws proposed to be enacted in each respective parliament; and that, unless this form was religiously observed, no parliament could be legally held. The time of exerting this certifying power, being, by the act, previous to the calling of each parliament, it was attended with many inconveniences. In order to remove these, an act was passed under Philip and Mary, to enable the lieutenant and council to certify bills after the parliament began, and to empower the king and his English council to alter and amend them, when certified and transmitted. Ever since that period, it was the constant practice for the lieutenant and the Irish council to certify bills under the great seal of Ireland, and to transmit them to the king and the English council, in order to have the sanction of the great seal of England, that they might be then laid before the Irish parliament, for its assent or dissent. This regulation being deemed the grand bond of the dependence of
Ireland,

Ireland, the crown adhered to the letter and spirit of it with the utmost jealousy; and except in two instances under Henry the eighth and Elizabeth, in whose reigns it suffered temporary suspensions, Poyning's law met with no interruption. It is not that the commons did not claim the sole right of preparing the heads of money bills, as well as the right of resolving the ways and means of raising money. These two resolutions are actually to be found in their journals. But they have never exercised the right, but in the form of petition to the lieutenant, who modelled the heads prepared by them according to Poyning's law. Besides, the right was never acknowledged by the crown. On the contrary, Sydney, who was lord lieutenant when the resolutions were passed, protested against them, and, after several prorogations, at last dissolved the parliament. Strafford, Charles the first's viceroy, had set him the example. But, as Strafford's administration had been always reckoned arbitrary, and even illegal, it was esteemed but a bad precedent. Sydney was accordingly censured by the English parliament, which, however, loth to strip the crown of such an essential power, was still willing to make a shew of moderation and equity.

The Irish commons at this juncture, not only took these resolutions for the foundation of their claim, but asserted likewise, "that Poyning's law did not affect them; as it was intended not as a restraint upon parliament, but upon the chief governors: that no mention is made of money bills in any of the three statutes relating to this point, and that they may be therefore justly supposed to be excepted: that the suspension of Poyning's law in the reigns of Henry the eighth and Elizabeth, had proceeded from some doubts, which had arisen concerning the sole right of the commons to manage money bills: that all grants have confessedly proceeded from the commons, as appears, among other instances, from the preamble

of the first grant of tunnage and poundage under Henry the seventh: that if, according to the opinion of the judges of England and Ireland, the origination of money bills was not the sole right of the commons; yet, of the two modes, that of beginning them in the house of commons was the better and more constitutional; and that on this account they had a right to reject the privy-council money bill; especially as they did not now urge that they had an exclusive title to this privilege, which was the source of the protest made by lord Sydney."

Equivocation appears upon the very face of this defence; for, while they abjured an exclusive right in words, they claimed it in fact. To say, that they did not deny the council a share of this right, and yet to reject its bill for exerting it, is mere mockery; and shews evidently, that they were fully resolved to make the law yield to their will. While we insinuate, that the law and the form of the constitution were thus violated, we do not pretend that they had not justice on their side. It must always be justifiable in a state to recover its liberty; a blessing, of which this institution has left Ireland but a very partial share. For, notwithstanding the opinion of the Irish judges, it is very certain, that as the king's negative precedes that of the commons in passing every bill, he is an absolute monarch. At least he would be so, were he not checked by the English parliament, which obliges him in some measure to observe the same maxims in governing Ireland and England. Had he a similar negative in the English constitution, the British government would have no balance, nor would grievances ever be redressed. He might crush every disagreeable bill in embryo, and prevent the discussion of whatever should be deemed offensive to him or his minister. Nor is this mere speculation. It has the sanction of experience. The lords of articles in Scotland, who were nominated by the kings, and possessed a negative of this nature, rendered them actually absolute.

absolute. As matters now stand, few kings will be hardy enough to reject a popular bill, after it has been maturely weighed in both houses. They will dread to set their own wisdom in opposition to that of the whole nation, lest their authority should be found too light a counterpoise. Hence an opening remains for the accusation of ministers, for the rectification of disorders, and the improvement of the constitution: points of great moment, as a government ought frequently to be brought back to its first principles, and exorbitant power does not arise so much from new, as from the abuse of the old laws.

In order to preserve this prerogative entire to the crown, the ministry caused lord Townshend, the lieutenant, to prorogue the Irish parliament, after they had granted the money wanted in their own way. This step, however, he did not take, till he had protested against the right claimed by the house of commons, and endeavoured, but in vain, to enter his protest upon their journals. They would not allow such a violation of their privileges. The house of lords was not so stubborn. Though it was urged, "that even a lord had no right to enter a protest, except he had taken part in person or by proxy, in the debate, and that therefore, the lord lieutenant, who had no voice in that assembly, was much less entitled to it: that this privilege belonged exclusively to the lords, because they were a permanent body, whose members, as their names, when they happen to be present, are set down in the journals, were bound in honour and conscience to vindicate themselves to their posterity; whereas the commons being only temporary representatives, had never adopted the practice: that the right of protestation necessarily conferred the right of deliberation, to neither of which the king pretends in England: that the English laws had been all adopted in Ireland, by an act posterior to Poyning's law; a circumstance, which proves that engine of tyranny to be no longer valid, since in contrary laws the anterior

are always abrogated by the posterior; that such a measure would in them be a violation of the privileges of the commons, as their journals would thus become a receptacle for libels on their proceedings; that the affair could not at all appear on their journals, as it had never been before them; that the precedents, on which it was founded, were arbitrary and indefensible; and that it was an enormous stride towards blending the executive and legislative powers, which the constitution had so wisely kept separate." Though all these arguments were urged with vigour, the protest was entered; and these proceedings produced such a ferment in Ireland, that they became an object of parliamentary enquiry in England. Some members affirmed, that the late prorogation was unconstitutional, as it argued a desire in the ministry to rule without parliaments, in imitation of the Stuarts, who always made prorogations follow grants of money: that, in consequence, the state of Ireland was extremely wretched, many temporary laws having expired, such as the act for assigning judgments, by which alone the Roman catholics could obtain landed security for their money, and the many useful acts regarding the late insurrections, and the tillage, and improvement of the country: and the tax upon hawkers and pedlars appropriated to the support of the incorporated society for building Protestant charter-schools had ceased; and that the money granted for public works, and other uses, would remain dead in the treasury: all which circumstances would greatly distress that country. It was therefore moved, that the papers relative to the augmentation, and the instructions, in consequence of which the parliament was prorogued, should be laid before the house of commons. But the motion, like all others, affecting the ministry, was carried in the negative by a great majority.

Part of the sinking fund was applied to the discharge of two millions of the national debt, or rather

ther to the reduction of the interest upon that sum, which was sunk from four to three per cent. an operation, that was severely censured as a pitiful experiment upon a commodity, which should never have been touched, but in the gross; because the purchase of it thus in the detail warns the public creditors to keep up the price, so that the minister's skill in the finances raised the value of the four per cents. which it is the purpose of government to buy, and sunk the value of the three per cents. which it ought to sell.

Scarce were these affairs adjusted, when alarming news arrived from America. From the ill humour, which the Bostonians discovered, upon the arrival of the board of customs, and the troops that followed, no good could be expected. It was evident to the discerning, that this ill humour would encrease, and probably terminate at last in resistance. The conduct of the commissioners of the customs was neither so prudent nor so moderate as to allay the ferment. Proud, haughty and supercilious, they disgusted the people by the difficulty of access to them about the business of their office. Their residence at Boston was complained of as detrimental to commerce, which had languished ever since their appearance. They infringed the rights of the assembly of the province by dismissing from his place a member, whose vote was contrary to their desire. In conjunction with their co-adjutor, governor Bernard, they made such representations to the ministry, as they thought best calculated to bring the displeasure of Britain on the province. And, that their representations might have more weight, they are said to have contrived and executed plans of disturbances and tumults, of which they transmitted the most exaggerated accounts to England.

The conduct of the soldiery was but ill calculated to make a proper compensation for the misbehaviour of the commissioners. Not satisfied with having made barracks of the State-house and the courts of justice,

justice, they besieged the manufactory-house, and tried all means, but a forcible entry, to convert it to the same use. Centinels were for six months posted in all parts of the town, before the lodgings of officers: an indignity, which produced great uneasiness and many quarrels. One captain Willson was clearly convicted of having excited the negroes of the town to take away the lives and properties of their masters, and then to repair to the army for protection. Some magistrates were attacked by a party of soldiers. Soldiers were repeatedly rescued from peace officers. A soldier, to brave the inhabitants, had the audacity to fire a loaded musket in a public street. The soldiers frequently wounded the townsmen with their bayonets and cutlasses.

These and other numerous instances of bad behaviour in the military exasperated the people, and caused many riots between the two parties. In many of these rencounters the soldiers were worsted. In order to wipe off the supposed disgrace, and to be fully revenged upon the town, they resolved, as appears from a variety of proofs, to provoke the inhabitants to fire upon them as a prelude to a general slaughter. The fifth of March being selected for this purpose, various parties issued out at night into the streets, and wounded and maimed the passengers that came in their way. A mob being by these outrages collected the guard was turned out; and, though the people had not even arms to fire, it discharged a volley, by which eleven persons were killed or dangerously wounded. The custom-house joined them, and fired three pieces out of its windows. The twenty-ninth regiment, which was prepared for action, sallied out upon hearing the report of the muskets, and drew up before the State-house. The first line kneeled; and the whole of the first platoon presented their guns ready to fire, as soon as the word should be given. The incensed inhabitants stood opposite in a large body, and being now armed seemed as eager for an engagement.

ment as the soldiery. For some time the aspect of affairs was dismal; and, had not the governor, assisted by the magistrates and other men of weight, assured them that all legal means should be taken for bringing the criminals to justice, the consequences would have been terrible. Nothing, however, could induce them to retire, till the soldiers wrought upon by the persuasions of their two principal officers quitted the field, and retreated to the barrack, leaving captain Preston and the party, that had fired, to the mercy of the law.

Deeply affected by the tragedy of the preceding night, the principal inhabitants held a town-meeting, which signified to the lieutenant-governor, the necessity of immediately removing all the troops for the peace and safety of the town. The governor replied, that he had no authority to remove them; but that, colonel Dalrymple had agreed to remove the twenty-ninth regiment to Castle William, till further orders should arrive from General Gage; and that the fourteenth should be laid under restraints, which would prevent all future disturbances.

This proposal would not satisfy the Bostonians: they insisted on a total and immediate removal of all the troops; and their demand was, after some consultation, complied with, by colonel Dalrymple. For the security of the town, and for preventing the rescue of the confined soldiers, a strong military watch was kept by some volunteers, till the two regiments departed. Thus did the virtue of these citizens put an end to the tyranny of a military government, and prove to us and to all other nations how advantageous, and even necessary, it is for the body of the people to know the use of arms; as, upon any other plan, their lives and properties are at the disposal of a few mercenaries.

The lieutenant governor's declaration, by which it appeared, that the ministry had deprived him of his constitutional authority over the troops, necessarily brought

brought on the discussion of the military commands in the British House of Commons. For five years successively, said the opposition, the commanders in chief have been allowed a power superior to that of the governors. And who have granted them this power? Not the legislature, not the king and parliament; but the secretaries of state, who have no power to delegate. All the authority which the king can give, is lodged in the governors and councils; and being granted under the great seal it cannot be revoked. Charters are not to be superseded by ministers. The chief authority, military as well as civil, remains with the governors entire and undiminished, as with the lord lieutenant of Ireland. James the first attempted to render lord Tyrconnel, the commander in chief in that country, independent of lord Clarendon, the lieutenant. But such confusion ensued, that he was forced to recal Clarendon, and to bestow the lieutenancy on Tyrconnel. The same inconveniences have lately happened in America; and they will ever happen in similar cases. The Roman emperors having granted powers of this nature to their military lieutenants, in Africa, disputes of the same kind arose between them and the Proconsuls; and the consequence was, that the former swallowed up the latter. The civil was forced to yield to the military power; and the provinces became military governments. The establishment of the like system of despotism seems to be the design of the present ministry. Else why is not a plan of reformation now laid before the parliament for its approbation? Two months have now elapsed, since the consideration of this affair was originally proposed; and it has been postponed four times successively, that they might have full time to adjust it. Yet nothing has been done; the crown lawyers have not been able to frame commissions, which they will venture to call legal, nor which the ministers will dare to pronounce expedient. To what causes must we ascribe such strange conduct? To carelessness, ignorance

ignorance or treachery. Were not this the case, and were not the ministry resolved to continue the same unconstitutional measure, would the crown lawyers be now absent? Being members of parliament, and previously knowing, that this affair would now be discussed, they would have attended to assist us with their counsel. But why should we wonder at this instance of their tyrannical spirit, when the whole tenor of their behaviour to the Americans is a continued series of ill-digested tyranny? Not satisfied with the declaratory act, which sufficiently established the sovereignty of this country over its colonies, they would exercise the power of taxation, not so much to secure the dignity of government, as to save the honour of particular persons. Former experience might have taught them, that this measure would meet with violent obstruction: yet they took no precautions, they exerted neither policy nor power, to secure its execution; and to encrease the evil, the execution was entrusted to persons, whom the sequel has proved the most unfit that could possibly have been chosen. Nor were they contented with discovering their own nakedness: we must likewise be brought into disgrace. When the assembly of New York refused to comply with the quartering bill, the almighty influence of the ministry persuaded the parliament to suspend it, till the act was enforced in its full extent. But the only consequence of this step was contempt to the parliament. The suspending act is no longer in force, while the resolutions of the assembly, which gave birth to it, have had their full effect. Could any measures be better calculated to expose our weakness and impotence? We were equally dishonoured by the share, which we were induced to take in the affairs of Boston. The revenue acts having there produced nothing but resolutions against our power of taxation, the ministry sent a letter directing the governor to dissolve the assembly, if they would not rescind these resolutions: a step which operated

as a menace, injurious to its legislative capacity, and tended to cause discontents and unjustifiable combinations. The assembly, who would not rescind, was dissolved, and yet permitted to sit again without rescinding: a proceeding full of inconsistency, and necessarily destroying all opinion of the wisdom and firmness of his majesty's councils. The circular letter directed to the other provinces, and desiring their assemblies to treat the resolves of Boston with the contempt, which they deserved, having failed of producing the intended effect, the crown found itself unable to carry its measures into execution, and called in the aid of parliament to govern this ungovernable people. By virtue of an old act of Henry the eighth, persons suspected of treason, or misprision of treason, were to be tried within this realm, though it was known the scheme could never be executed, though no such treasons, or misprisions of treason existed, or if they did exist, no measures were either taken or intended for apprehending the criminals. Was not this an audacious insult on the dignity of parliament? Does it not tend to bring a reflection on its wisdom and justice, or to encourage treason and treasonable practices by neglecting to follow its advice? And, what is more extraordinary, while parliament was thus urged to coercive measures, the ministers were truckling to the Americans, and preparing a plan of submission. They pledged the faith of the crown for the repeal of the obnoxious acts; as if the parliament were only the mouth of the ministry, the mechanical engine, with which they did or undid whatever they pleased. Could any proceedings contribute more to bring infamy and contempt upon the legislature? They were as humiliating to us as they were presumptuous and unconstitutional in the ministry. The bad opinion, which was hence conceived of us, had undoubtedly no small share in tempting the Americans to those acts of violence, that were alledged as the cause of sending a fleet and army to Boston. The civil mag-
gistrate

gistrate indeed, was said to have called for the aid of those troops. But, behold! when they arrived, he was so far from accepting, or using their aid, that he would neither receive nor quarter them; and the civil magistrates, who sought their assistance, turned out to be no other than the custom-house officers, whose machinations had produced the affrays and breaches of the peace, that had moved the choler of the ministry. So that, after having in vain endeavoured to terrify the people, our wise ministers were forced to withdraw part of this armament, and the rest are now driven out of the town. Thus have these alternate measures of crude impracticable vigour, and of tame crouching lenity deprived us of all power to suspend or prorogue the American assemblies, or even to induce them to rescind their resolutions against our authority. Our dignity is not only impaired; but our power is annihilated. Every instrument of authority is gone, the assistance of the civil and military powers, the respect for magistrates, and the affection of the people. As will always happen in a government without wisdom, the malignity of our will is abhorred, and the debility of our power is contemned. And for what purpose have we been robbed by this wicked system of government of our power and authority? That the public being persuaded, that we could no longer rule, the empire might acquiesce in the conversion of its provinces into military governments, which must, by the nature of things, be entirely at the disposal of the crown and its ministers. This is part of the insidious plan of despotism, which has been long in agitation, and now shakes the realm. Nor was it imprudent thus to begin at the extremities of the empire, that the evil might creep imperceptibly towards the heart, and kill liberty unawares at the source of her existence. But since by their precipitation they have waked the sons of freedom from their lethargy, before all is lost, let us act with vigour, and bring home the charge

charge to individuals; let us impeach the guilty ministers. An assurance that they may be bad with impunity, is all that is wanting to close the scene of our ruined state of government. Is it not enough, that we have suffered them to escape punishment for refusing to enquire into the sale of the last inglorious peace, for allowing the Manilla ransom to remain unpaid, and for winking at the mean tricks used by France to defraud the holders of Canada, reconnoissances of that small moiety of their property, which ministerial treachery or incapacity has not forced them to relinquish? Must we indulge them with a licence to ruin our power, and usurp our authority? Must we remain tame spectators, while they are overturning the ancient constitution, and erecting a system of tyranny in all parts of the empire?



F I N I S.

